

INDUSTRIAL EXCESS LANDFILL SUPERFUND SITE

PUBLIC MEETING

MARCH 2, 1999

7:00 p.m.

- - -

BE IT REMEMBERED that upon the hearing
of the above-entitled matter held at Uniontown
Community Center, 3696 Apollo Street, Uniontown,
Ohio, and commencing on Tuesday the 2nd day of
March, 1999, at 7:00 o'clock p.m., the following
proceedings were had.

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Louise Fabinski
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Tim Thurlow, Regional Counsel
U.S. EPA

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MR. DOZIER: Good evening, ladies and gentlemen, and welcome. My name is Dan Dozier, and I am an environmental mediator and facilitator. I do not work with EPA, I am here to facilitate this meeting tonight, which is a public hearing -- can everybody hear me? In the back, can you hear me? Good. -- which is a public meeting to discuss the Industrial Excess Landfill and an amendment to the ROD the EPA is proposing.

I'd like to talk to you a little bit about how I propose to conduct the meeting tonight as a facilitator, talk to you about an agenda, and then I'm going to turn it over to Denise Gawlinski who is going to introduce the EPA people and what they're going to talk about.

First, I would ask that you help me with this meeting tonight, that we try to keep any kinds of interruptions to a minimum and that we try to respect the Court Reporter and

everybody else in the room, and so if people speak, if they would give us and her your name, spell it if it's unusual, or even if it's not, to help her and your address when you speak.

The bulk of this evening will be spent hearing from you, answering questions or listening to comments that you might have regarding this landfill and the site and EPA's proposed remedy.

The first period of time, and I told people that I would commit to them to keep it under an hour and hopefully closer to 45 minutes, I'm looking at the EPA people to remind them, will be presentation by various people from EPA about the site.

We think it's important to do this because there may be people here -- I know many of you certainly know a heck of a lot more about this landfill than certainly I do, but there may be people here for whom this information would be very useful. And so we want to have a quick

brief overview of this, and I guarantee you that by 8:00, even if they're not finished, and probably a little before 8:00 we will have then time for you to ask questions or to submit comments.

The way I would like to conduct the comment period is this: As you may know, there is a sign-up sheet in the back of the room. Can you hold the sign-up sheet up? It's for speakers. Some people have already signed up, and those sheets are going to be back there for you to sign up during the presentation, but especially at the end of the government presentations, at around eight or a little bit before, we'll take a five minute break. I would really like to keep it to five minutes for anybody who wishes to sign up to speak to do so, also to give you a chance to walk around and go to the bathroom, but we'd like to have that a relatively brief five minute break.

At the end of that break I'm going to

get those lists of names of people who wish to speak, and I'm going to call on you. You're going to have an opportunity, we'll give you a microphone, there will be one out there, there's one up here to speak.

There's not going to be a hard and fast time limit. This is not going to be auctioning three minute blocks of time off to everybody. And so -- but I do want to run the meeting so that everybody that signed up to speak has an opportunity to do that. And so I can't tell you how long that's going to be, some may want to speak longer than others and I will attempt to accommodate that but accommodate that consistent with giving everybody the opportunity to speak.

I'd like to ask, does that make sense? Are people comfortable with that? Does anybody think that's a problem?

Okay. Hearing none I think we'll go forward on that basis, and to that effect I'm

going to ask Denise Gawlinski, who is EPA's public affairs coordinator, to come up and present the agenda and talk a little bit about the site and introduce some other people. Thank you.

MS. GAWLINSKI: Thanks, Dan. As Dan said, my name is Denise Gawlinski, I'm the community involvement coordinator for the IEL site, and I want to do three quick things.

First is to introduce the other people from my agency and two other agencies that are present here tonight. And the second is to just briefly go over tonight's agenda in a little more detail. And third, to tell you a little bit more about the public involvement process.

We have Ross del Rosario, U.S. EPA's remedial project manager. Luanne Vanderpool, who is U.S. EPA's technical groundwater expert. Luanne has a Ph.D. in geology from Stamford. And also Tim Thurlow, who is U.S. EPA's regional counsel, our attorney for this site. Also Ken

Tindall, who is Superfund branch chief for Region

5.

From Ohio EPA we have Larry Antonelli. He is the project manager, Ross' counterpart on the state level. And in the back of the room, many of you saw Patrick Gallaway as he walked in, he's my counterpart from Ohio EPA.

Also from the Agency for Toxic Substances & Disease Registry or ATSDR Louise Fabinski, who is the senior regional representative based in Chicago, and Cate McKinney, who is my counterpart from that agency.

Also I'd like to point out that we have three people from Tetra Tech, which is U.S. EPA's contractor, and they've done a lot of work on this site for us, and I just wanted to point them out, John Grabs, Bhupen Gandhi and Harry Ellis.

So as you know, we're here to talk about the Industrial Excess Landfill site and

specifically to describe to you in more detail the proposed changes to the cleanup plan that we are making.

In a minute I'll turn it over to Ross who will go through in more detail the proposed changes and also give you a little bit of background for those people who may be new to the Uniontown area and talk about the last round of sample results as well.

After that Larry Antonelli from Ohio EPA will give a statement from his agency's perspective, and Louise Fabinski will do the same from her agency. And after that Tim Thurlow will make some closing remarks before we take a quick break and then come back and listen to your concerns and answer as many of your questions as we can.

The comment period for this, this time around closes April 11th, so that's a little over a month from now. It started back on January 11th. So the total length of the comment

period is 90 days, which is three times the length of a normal comment period under Superfund.

Once April 11th comes and goes, we will take all of the comments that we hear tonight orally and those that we receive in writing up until April 11th and consider them and evaluate them and answer them in writing.

We'll publish that in a document called a responsiveness summary, which we will make available to everyone when we sign the final record of decision, the final document which outlines the cleanup plan for the site.

At that time we will also place ads in both the Canton Repository and the Akron Beacon Journal and issue a news release to the media to help spread the word once a decision -- that a decision has been made.

We also are committed to keeping you, the general public, as informed as possible and involved -- and as involved as possible

throughout this whole process. And to that end we plan to come back into the community in the next couple of months or before the start of any cleanup and talk to as many of you as possible to hear your suggestions and ideas for involving you.

That could mean holding regular informal meetings. We also would be willing to come to township meetings, maybe to just be on the agenda for one of the township meetings, coming to the Lion's Club meeting and speaking to that group. Just really any, any suggestions that you have I would appreciate.

And also we do plan in the very near future to organize a meeting of the Technical Information Committee or TIC, and this is a group that was formed back in I believe 1989 to help give input on the design of the remedy that was in place at that time. So we do plan to reconvene that group and work with them as well.

And I guess at this point I'll turn

it over to Ross for the majority of the presentation. Ross.

MR. del ROSARIO: Thank you, Denise.

Could everybody hear me without the microphone?

Is that okay? Is that a yes?

MR. DOZIER: I think you better use the mike.

MR. del ROSARIO: Good evening, ladies and gentlemen. As Denise said, my name is Ross del Rosario, I'm the U.S. EPA regional project manager responsible for overseeing the remedy of the Industrial Excess Landfill site, IEL for short. IEL is located on Cleveland Avenue, a little bit north of this site on the eastern side.

Let me start things by -- let me start things by -- let me start this presentation by saying that I'd like to basically set up my, my talk to describe what those changes that the agency is proposing.

Is this microphone working? Can you

hear me?

AUDIENCE: No.

MS. GAWLINSKI: Put it on.

MR. del ROSARIO: Can you hear me
now?

AUDIENCE: Yes.

MR. del ROSARIO: I'm sorry, I
thought my voice was loud enough.

Start things off, I would like to
describe the changes that the agency is proposing
for the changes on the original record of
decision that was signed in July of 1989. I also
want to go over the reasons why the agency is
making these changes and also discuss the
measures that the agency will be taking to ensure
that the remedy is protective of human health and
environment in the future as this -- as it is
implemented.

To start things off I'd like to just
briefly describe what the original remedy is and
what the proposal is, just to go over it

quickly. The original remedy in 1989 basically required a pump-and-treat system, basically you're removing -- pumping water out of the landfill and treating it and putting it back in again.

We're also requiring a cap or a cover of a certain design to be placed over the landfill. There's going to be some enlargement, there's going to be some sort of institutional control such as deed restrictions. We're going to put a fence around the area, and we are going to monitor this site on a regular basis.

Now, what we're proposing is basically a change, that is, on the pump-and-treat system based on the site conditions that we know today. We are planning to eliminate the pump-and-treat system essentially, and also we're going to be replacing the prescribed cap with a more simplified design based on experience that we gained in the past.

Why are we doing this? Well, site conditions have changed, and I'll go over everything and show you why. Just like the original remedy, the proposal is protective of human health and environment, and the proposal that we had here for IEL is also consistent with existing -- with current agency decisions on other Superfund sites.

Now, for the benefit of those who are not too familiar with the landfill itself, let me just give you a few brief facts. This is a privately owned landfill. It's about 30 acres. It was licensed to operate as a landfill in 1966, continued to operate till 1980. It accepted a whole range of wastes, you got municipal wastes, commercial wastes, industrial wastes. You got about 780,000 tons of wastes, and basically that's the same number that you folks have over there.

Approximately we think -- we believe that there's about a million gallons of liquid

wastes that were also disposed of at the site.

The predominant types of industrial wastes that we know are disposed at the site are fly ash from the rubber operations, from the rubber industries and the latex type wastes.

The landfill closed in 1980, and basically the landfill owners covered the site with about one or two feet of soil.

The agency conducted a remedial investigation in 1985. What we found was a plume or a body of contaminated groundwater and it was coming out of the landfill in the direction of groundwater flow. Denise will probably show that later.

The major concerns that we had that we found was basically you had landfill gases that were primarily methane in content migrating off-site in the westerly direction. You also had the situation where you had unacceptable vinyl chloride levels in the residential wells adjacent to the homes.

Some of you may remember there was about a dozen homes and a couple of businesses that were living close to that landfill, so those were the most -- those residents were in immediate danger, and this is what I'm showing -- this is what I'm describing.

You have -- I wish I had my pointer, but I guess I can use this new high-tech thing here. Well, it probably doesn't work. But you have in this body of groundwater contamination, this red, which basically showed the extent of metals contamination that we found in 1986, 1987 when we were conducting the remedial investigation.

Now, this blue outline over here shows the extent of the contamination that we believe existed during that time period for VOCs or organics such as benzene, ethyl benzene, toluene, chloroethane, those types of organic compounds. This, for your information, is -- was the old landfill boundary, this area.

Okay. Denise, would you go to the next overhead, please. The EPA recognized there was some immediate dangers on the homes -- well, there were some immediate problems that were posed by the landfill conditions on the homes that were living nearby.

What we did in -- somewhere -- in 1985, '86, '87 was to install some air strippers in about six homes. We installed some methane alarms, make sure that, you know, we would -- those alarms would turn on if there was any dangers about landfill gases coming in the basement of the homes.

We've also constructed a landfill gas system basically to capture any landfill gases that could possibly migrate out of the landfill, and I think this was -- this third little item is an internal decision on the part of the agency in 1987 during -- in the middle of a remedial investigation the agency decided to install an alternate water supply system, which is basically

located directly west of the landfill, west of Cleveland Avenue.

As a result of the findings of the remedial investigation in July of 1989, the agency signed a record of decision which basically outlined what the remedy was and which I described earlier.

We received extensive amount of comments in 19 -- during that time period, and what we basically decided, in order to address those comments, was to conduct additional studies and basically -- just in summary, those studies included landfill gas studies, off-site violation gas. We installed 30 new wells. We basically doubled the amount of wells that were originally on the landfill.

We conducted pure economic groundwater monitoring from 1990 to '93. I think there were seven, seven or eight groundwater monitoring service which included radiation work.

We also conducted other hydrogeological studies. We used some rather modern equipment such as electromagnetic surveys, groundwater treatment to detect any drums or other metallic objects down there.

We also looked at the ponds in the areas around here, we looked at the sediments in Metzger's Ditch, we looked at the soils. So there was an extensive amount of study that was conducted by the agency after the record of decision was made.

Now, in 1997 the responsible parties with approval and oversight from the agency decided to do another round of sampling. What we found after reviewing the data was that we couldn't find any organics outside of the landfill boundary.

Basically we did find that there was some benzene in the middle -- on the northern half the landfill, somewhere around here, which

is the location of an evaporation pond that the landfill owners constructed when the landfill was in operation. So we had hits of organics in this particular area over here.

Now, as far as metals, we did see some metals in concentrations above the federal drinking water standards outside of the landfill boundaries, but based on the review of our groundwater experts we couldn't find any evidence of a plume. So we came to these conclusions in -- sometime around 1998.

We found while we don't have evidence of a metal plume, residential wells, all the tests that we did basically is showing that drinking water wells were below drinking water standards.

We saw evidence that not water quality is improving, and we were probably going to be conducting some more water monitoring for as long as -- for future remedy. As a result of some of these conclusions we said, well, we don't

need a pump-and-treat system.

Now, the order change that we made concerned the cap. Now, the cap that we suggested in 1989 was a cap that involved clay soil. We believe that with experience the agency has gained in the ten years in employing different types of caps we have come up with a more simplified design for a cap which, based on the studies that we've made and the experience that we have gained over the past ten years, we think would be the same performance levels as the original closed cap at a significance savings, it's going to be less costly.

And the other benefit about this cap is that you are going to be reducing the amount of truckloads of soil being delivered to the landfill. Our original estimate says we were going to be delivering about 27,000 truckloads of soil where our new cap is going to be -- probably going to be delivering about 12,000, 13,000 truckloads of soils. And the probability of an

accident occurring at Cleveland Avenue is reduced because of that.

Now, we believed that the March '97 results were adequate enough to make -- to justify the decisions that we made in 1998, but in September of 1998 the responsible parties petitioned the agency to do another round of sampling.

Well, the agency believes that more data is good so we conducted the -- the PRPs conducted another round of sampling from 1989 with approval of the agency.

In this particular case the agency collected its own set of samples. We collected out of the 52 available wells 23 from that, from that universe. Now, out of -- based on the results that we gathered we saw that generally the down loader was quality -- the quality was basically similar to what we saw in 1997, that is, organics below the drinking water standards.

You still have some hints of metals

off-site, but we don't see that, that plume, that classic plume. And overall the metals were generally lower than previous samples of it, and we believe that because of the fact that we were employing a more accurate technique, which we generally refer to as low-flow sampling, that these lower metal results are a more accurate presentation of what the groundwater is down underneath the IEL.

We also sampled six residential wells, and here are the results. We really did not detect any organics to metals except for two constituents, which is arsenic and barium, and those metals were detected at significantly below the drinking water standards. I believe they were like an order of magnitude below the standards.

We believe that those results are probably -- the differences between the concentration of -- found in residential wells are probably going to be lower than in the nearby

monitoring wells because of the fact there's differences in the way these residential wells are constructed.

Any remedy that the agency will implement will have a monitoring program. Now, we don't have a final monitoring program right now. I think what we're probably going to be soliciting input using, using the Technical Information Committee, but conceptually we have an idea of what this plan will be.

It's going to be at least five years, this monitoring program. We're going to be installing new monitoring wells including background wells. We do realize that there is a need for new background wells, and it's generally consistent with what the Science Advisory Board recommended, so we will install new background wells.

We are indeed installing new off-site wells possibly near the county line. We're also going to keep open the possibility of doing

radiation testing.

Now, if these monitoring programs, if this thing is implemented and we do find some problems with regards to, well, there's some contamination with certain monitoring wells, there's going to be contingencies built into that thing.

It depends on the level that we find, the level of concern that we find in the, in the contamination. If we find that the monitoring program -- you know, a contingency could be like we could do more for monitoring or we could do some additional studies, you know, putting some residents on bottled water, these are such contingencies.

So in conclusion, the proposal that the agency is putting forward is protective of the human health environment. It's based on existing site conditions, and we think it's implementable. Thank you very much.

MR. DOZIER: Our next speaker is
Larry Antonelli from Ohio EPA. Larry.

MR. ANTONELLI: Good evening, ladies
and gentlemen. I'd like to introduce myself. My
name is Lawrence Antonelli, I'm with the Ohio
Environmental Protection Agency, division of
emergency and remedial response.

I've been the site coordinator
representing Ohio EPA for just over four years
now with our main role in the process to ensure
that the state's interests are met throughout the
remedial process at Superfund sites in Ohio such
as the IEL.

I would like to indicate that the
Ohio EPA does support the proposed remedy
modifications in principle, meaning that final
details specifically with respect to the
long-term groundwater monitoring plan as well as
management of landfill gases will need to be
acceptable before Ohio EPA fully concurs.

With respect to the landfill cap,

Ohio EPA does believe that adequate evaluations have determined that the modified cap will meet performance standards and eliminate infiltration. Also, the modified cap meets substantive requirements of Ohio regulations.

With respect to treatment of groundwater through monitored natural attenuation, our review of the data collected over the past ten years does demonstrate reductions in most contaminants of concern with respect to metals as well as organics in wells located on the site as well as wells located downgradient of the site.

Ohio EPA does support a comprehensive and long-term groundwater monitoring plan for which details have not been finalized. The monitoring plan should be designed such that accurate and thorough assessments of groundwater quality can be made as well as an evaluation of any potential exposure to human health.

The Ohio EPA intends on playing an

active role in the first five year review period to evaluate the effectiveness of monitored natural attenuation at this site.

Ohio EPA does support the installation of additional downgrade monitoring detection wells in residential areas as well as new background wells to better assess contaminant trends when comparing upgrading water quality versus down-grading water quality.

The Ohio EPA will recommend and does support the inclusion of gross alpha and gross beta into the regular monitoring network so both background as well as site specific levels can be determined for those parameters. Those parameters are fundamental parameters which indicate gross radiation activity.

With respect to the expansion of the methane venting system, Ohio EPA does support the design and functional requirements of a gas system which is consistent with the monitoring and treatment requirements as specified in the

original record of decision.

The gas system will be designed such that it will be capable of collecting both methane as well as nonmethane volatile organic compounds. Thank you.

MR. DOZIER: Thanks, Larry. Now, on behalf of the Agency for Toxic Substances & Disease Registry I'd like to introduce Louise Fabinski.

Louise, I think you've probably been involved in this more than any -- for a longer period than anybody, so, Louise.

MS. FABINSKI: I don't want to admit to that. This is on, right?

MR. DOZIER: Yes.

MS. FABINSKI: Okay. I have been coming to this community since 1984, and I'm not a technical person, but what I do is listen to what the people in the community are saying and also try to make sure that our agency is communicating with U.S. EPA, Ohio EPA, the local

health department, the state health department and community people. So we listen to the interests that you have and we bring them back to our technical folks in Atlanta.

Our role as a public health agency is a nonregulatory role, and what we do is we evaluate the data that EPA or Ohio EPA or PRPs have provided and try to determine whether or not there will an impact on public health.

We've done a number of daily evaluations since the 1980s. All these evaluations have been written, they've been provided to U.S. EPA, the other agencies, the Technical Information Committee and they've been put into the repositories in this community.

ATSDR right now is preparing two documents that are called health consultations, and what health consultations are are documents that provide written response to specific questions and it provides to the community, again, to the involved agencies and are put into

the repositories.

The two consultations that we've agreed to prepare is a health consultation evaluating the proposal by U.S. EPA to modify the selected remedy. The consultation will evaluate EPA's proposal in light of our previous findings and the additional environmental sampling made available to ATSDR since the last time we prepared a document for the site.

The other health consultation, and is being prepared cooperatively with the Ohio Department of Health and with our agency, will specifically evaluate the September 1998 environmental groundwater -- or water sampling that was made available to us.

They're currently -- the staff in Atlanta are currently working on those two documents, and although I can't report the findings at this meeting tonight they expect to complete the work and make their findings

publicly available by the end of March of 1999.

That would be before the close of the comment period, so that you will have the opportunity to have a public health opinion prior to the close of that public comment period.

We will provide copies of these documents to the local repositories. We also will have our staff publicly available to answer community questions. In other words, they will be coming to town and meeting with you in this kind of a setting so that they can discuss what their findings are as far as the impact on public health.

We also would make sure that we do public grievances. We have our community involvement person here, we will make sure that public notices are placed in the newspapers and also to coordinate our public meeting. Thank you.

MR. DOZIER: I think we're going to make it in the time that I said we would.

Our next speaker is Tim Thurlow. He is the associate regional counsel, Region 5, U.S. EPA. Tim. Keep us on time.

MR. THURLOW: Believe me, I will not talk for 25 minutes.

Hello everybody. I am Tim Thurlow, I've been the site attorney for U.S. EPA at this site for 12 years. In fact, I think my first experience with IEL was in this very building, it was 12 years ago, summer of 1987. We were I think that night proposing to put in an alternate water supply out here, and maybe some of you have city water as a result of that decision that EPA made way back then.

Can everybody hear me now?

Okay. What I'm up here to talk about right now is the process here. I would like to talk a little bit about what's going to happen in the future at this site both in short-term and long-term. I especially want to talk about what opportunities in the future there will be for

public involvement at this site and for public information.

Well, as Denise said at the beginning of this meeting, there is a public comment period that's underway right now. It will end on April 11th. We've already received many comments from people in this area, and we're collecting them in Chicago.

Tonight when we finish there will be an opportunity for people to come up here and make oral statements, and they will be taken by the Court Reporter. Those, too, will be added to the record that we're collecting in Chicago.

And finally, if things occur to people between now and April 11th, you're free to send those on into the agency, and those, too, will be added to the public record which will not close until April 11th.

Okay. Once the public comment period is over, EPA will then set out to evaluate those public comments, and the purpose of the

evaluation is to decide whether on the basis of the things that we're seeing and hearing changes need to be made in the proposal that EPA would forward to us here. So we will be spending quite a bit of time evaluating those public comments.

Now, ultimately EPA will issue a final decision. When will that be? I can't tell you how soon it will be because that will depend upon how long it takes EPA to address the public comments. We would like to go forward with the decision as soon as we can, but I won't know until the end of the public comment period what the number of comments we get, the number of issues that we're going to have to deal with, okay.

Now, assuming, assuming that EPA, when all is said and done and we look at the public comments, decides to go forward with the proposals that we put forward, and I say that's an assumption because we won't make the final decision until after the public comments period

is over, assuming that would go forward, what happens next? What's the next step?

The next thing that will happen is EPA will proceed to do design work on the parts of the remedy that we've chosen. That is, we will be doing design work on the new cap, we'll be doing design work on the monitoring plan that we've spoken about.

Now, with the cap, we expect that that could go forward pretty quickly because we were already well along with a cap design in the original remedy and what we're proposing to do now isn't that different than the original ones, and we figured we could go forward with that cap design pretty well -- pretty quickly.

And if we were to do that and if all went well, that means that some construction could go forward at the site as early as the summer, and it's conceivable that we could finish the cap on the landfill by the summer of 2000. So that's the cap site of the design.

The other side of the design is going to be with respect to the monitoring drawing. The EPA will set out designing the final specifications for what kind of monitoring is going to take place from here on out at the landfill, and that would involve things like exactly how many new wells will there be? We know we're going to have a fair number of new wells, exactly how many, where will they go, we have not selected places for these monitoring wells.

What will be the exact list of constituents and chemicals we will be looking for when we do the monitoring? Those kind of things will be worked out during the design.

Now, the question is who is going to be doing this design work? The answer is U.S. EPA will be doing the design. We'll still be in charge of doing the design, and we'll be doing it with the assistance of the Ohio EPA.

Now, what about opportunity for public involvement? I mean, if you're sitting here and thinking, well, okay, this is fine for EPA to come on in here and have this remedy presented to us and we'll have some comments on that, but what about this monitoring plan? Looks to me like there are some important things that are going to be worked out during the design, and I think that's important to the public, will there be an opportunity for public input on it? And the answer is, yes, there will be because, as Denise Gawlinski said, we're going to be reconvening what's called a Technical Information Committee.

This was a committee that was formed in response to the 1989 ROD and was an attempt to inform the group, which included citizen representatives, members from local government, from Ohio EPA, from the peer groups, and the purpose was to allow people to review and comment on design work as it was going forward so that

you didn't have one of these situations in which, well, EPA comes in and out with remedy decisions and then you get some fact sheets maybe later on but you don't have any idea of what's going on with the essential design work that takes place.

So that Technical Information

Committee did review and comment on the design work that went forward on the original design -- the original remedy until we stopped the original remedy, and we would expect that the Technical Information Committee would once again perform that function as we go forward with designing the new remedy.

In addition to having a Technical

Information Committee involved, one of the other things that EPA would expect to be doing is putting out fact sheets, because we will be collecting a lot of additional data as part of your monitoring program that we will want to be getting out information to the public as what we're finding.

Okay. So that's the first step that happens after EPA makes a decision. That is, we do the design work and we have an opportunity for the public to be involved in that design work through the Technical Information Committee.

Okay. Once the design is done, then what happens? Once the design is done EPA would propose to go forward with construction or implementation of the remedy. Who does that? Who would be building the cap, for example? Well, it would be EPA's preference to see the responsible parties doing that because we would rather have responsible parties using their money to pay for what needs to be done outside rather than take it out of the fund, the Superfund.

So EPA will certainly be making efforts to try to get potentially responsible parties to construct the remedy of the site. If for one reason or another, however, we don't succeed in that we would expect that we would go forward to build this remedy using Superfund.

Okay. One thing that I wanted to emphasize here is that, in any event, whether EPA funds it, whether the PRPs do it, EPA's involvement at this site does not end with this decision. It does not end with construction of the remedy. There is no walking away from this site for U.S. EPA. We're in this with this site for the long haul, and you won't be seeing less of us around here, you'll be seeing more of us around here because we'll be involved in this monitoring program which is going to step up the presence of U.S. EPA in the short run around here quite a bit.

The other reason why EPA will be involved for the long-term is because of the requirement that we do five year reviews. When you have a remedy -- that at least contamination on-site like you do at IEL and practically every other landfill in the United States, the Superfund law requires that EPA reconsider and evaluate that remedy every five years to make

sure that it's continuing to protect human health and the environment.

What that means is that if we started work at the remedy in 1999 we'd be revisiting it in 2004, 2009, 2014, you keep adding fives on to it until you get tired. In any event, that's what EPA's commitment is under the law to return to this site and reevaluate it.

Now, what happens if you find something? I mean, some people sometimes get the impression that, well, when EPA makes a decision that's the end of it. I mean, does that mean that's all there is, it's written in stone, it cannot be changed? Well, I should think that the example of why we're here tonight shows the Superfund remedy needs to be changed. We're proposing to change one tonight and we propose to change it in the future when conditions warrant it.

So if it turns out that certain things pop up and it appears that the remedy that

we've chosen isn't sufficient to protect human health and the environment, EPA always has the ability to go in and require more work to be done.

So in sum, to sum up, ten years ago EPA chose to remedy this site and it was based on what we were seeing then, it was based on the picture of the groundwater that we had drawn that day, and that was a point that was some ten years after the landfill had closed.

Tonight we're here to make some changes based on what we're seeing now, some 20 years after the landfill closed and ten years since the last remedy was proposed. And I'm saying to you, too, that in the future we will be continuing to look at what the groundwater does out at this site, and if there appears that we need to make further changes in the future we will do that.

I am now going to turn the microphone

back to Dan, and I think we'll probably be taking a short break and then we'll return for questions and comments.

MR. DOZIER: That's right. What I'd like to ask now is -- it's about a quarter till according to my watch, ten till according to the clock in the back, if you will come by that clock back and sit down and give your attention up here at five minutes to eight, that is five minutes.

So if anybody wants to go sign up and submit a comment or to ask a question -- let me, let me explain why you're going to sign up, how questions will work.

Somebody asks a question, if you tell me if you want an answer for that, I will turn to the people over here from the government and ask them if they can answer that, and I'll put them right on the spot right now, can you answer that now? Now, they may or may not be able to answer that. They may have the information, they may not, their given right, like all of us, they may

not know everything.

If they can answer tonight, under the law they have to submit, they have to submit written answers as part of their response to the comment period, but I would like to try to see at least if we could get preliminary or a response from EPA people here tonight as well.

So five minutes to sign up if any of you want to sign up and then if somebody would bring the sheet up here and I will go down the sheet calling people by name one by one. We'll give you the microphone so you can speak and be heard.

(Short recess was taken.)

MR. DOZIER: All right. Ladies and gentlemen, I hate to interrupt anything, but I think we need to get back. I want to give you as much time as possible for the comments.

All right. I want to try to make as much time for the comment period as possible for all of you. In order to do that I'm going to

crack the whip, let's get going here.

Okay. We have that I know of 19 people who have signed up, we may get a few more, but at ten minutes apiece, that's three hours.

As I said, I'm not going to hold you to a strict time limit, but I would hope that within a ten minute period you can say pretty much all of what you want to say, and three hours is not unreasonable, that's 11:00, that's pretty good.

So our first presenter is Terry Witsaman, and I'm just going to turn over here. Terry, if you will spell your name for the Court Reporter and your address if you wish. Thank you.

MR. WITSAMAN: My name is Terry Witsaman, W-I-T-S-A-M-A-N, 1785 Spotswood, Uniontown.

I'd like to direct your attention to that pile of boxes in the back of the room. If you look at the biggest pile of boxes, that's all information that was developed at the landfill

from its inception when U.S. EPA started and Ohio EPA started to investigate the landfill up until the present time when this monitored natural attenuation remedy has been proposed by U.S. EPA. If you have noticed there's -- I think there's about ten boxes of information.

U.S. EPA and the PRPs, the companies that dumped at this site, they want to institute monitored natural attenuation, which is basically doing nothing at the site, letting the little microbes and bacteria break down a million gallons of toxic chemicals, 780,000 tons.

That one box -- see the box in the trash can? I've been doing a lot of investigation of U.S. EPA and what information they have. They have one box, all the information they have on this site to justify this new remedy of monitored natural attenuation will fit in that one box.

I belong to CCLT. I've been looking at all information from U.S. EPA. Most of what

I'm going to tell you tonight is based on U.S.

EPA's own guidance documents.

You have to understand that U.S. EPA Region 5 is not the same as U.S. EPA in Washington. U.S. EPA in Washington gives directives and guidance to the regions. The regions are supposed to use this guidance to carry out their investigations at Superfund sites and other activities they have in the region.

Now, I listened to Ross del Rosario tonight, and what he had to say was sort of truthful but it was only half the truth because he left out a lot of information that he has available and Ohio EPA also has available and they're not telling you. And so what I'm going to do here, I don't want your eyes to glaze over while I'm doing this, but in order to respond to all the points that Ross has made and U.S. EPA has made to Region 5 at this site I'm going to have to talk some technical stuff, but I think you'll be able to understand it.

You don't have to be a rocket scientist to understand that one box of information back there should not change all the investigation that has taken place from 15 years ago. When this thing started I was 35, I'm 50 now. I don't want to be 80 when this ends or dead.

So what we're looking at here and what's most important here is time frame. You've already waited 15 years at this site to get any kind of activity, which none has taken place, nothing productive. So we went something to happen very quickly, and I don't think monitored natural attenuation is going to happen real quickly.

We are here tonight to comment on U.S. EPA's proposal to implement monitored natural attenuation at the IEL site. This is ironic since EPA has forced its remedy on you, the citizens, for the last 15 years without your

advice or consent.

During that time many of us who do not have the benefit of alternate water supply may have been filtering toxic chemicals through our bodies because U.S. EPA has dragged its feet by not practicing, in my opinion, good science in a reasonable time frame.

Unfortunately for us U.S. EPA Region 5 is tonight proposing to continue, in my opinion, its legacy of mishandling this site by agreeing to try to implement monitored natural attenuation even though they are not following their agency's own guidelines by implementing this type of remedy.

The change in the clay cap in the 1989 record of decision and natural attenuation should not be implemented at this site because of the following reasons.

Number one, U.S. EPA is using flawed information to characterize this site. Natural attenuation as a remedy, according to their own

agency, requires a higher level of understanding of the mechanics of the toxic plume than needed for other remediation techniques. This basically means you need to collect more information on the toxic plume in the site to use natural attenuation.

The latest technology which U.S. EPA should have used, according to their own seminar on monitored natural attenuation from September to December of 1998, which was provided to every single region -- and I want to show you how much information they had on where, when and how they should use this. This is what I downloaded from my computer. This information, what Ross is telling you, he must not have gone to that seminar or if he did he forget everything he learned.

The latest technology which U.S. EPA should have used, according to their seminar, is by the use of push technology, which essentially is installing one inch to one and a half inch

diameter casing, steel pipes instead of traditional monitoring wells.

These geo-probes are half the cost of traditional monitoring wells and can be used to draw water samples, determine water flow direction and rate as well as contaminant flux and geochemical distribution. It can also be used for core sampling of the site as they are installed.

You could put 60 of these probes for every 20 traditional monitoring wells. They should be installed using transects and along the southern line of the plume after it is defined. By doing transects you will use technology that is possible to reveal the characteristics of a cross-section of the contaminant plume and to find it three-dimensionally. And that's what U.S. EPA in Washington wants them to do, define this site three-dimensionally, which they can using the 28 monitoring wells that were put in 15 years ago.

Once the push technology is used to reveal three-dimensional site characterization, then permanent monitoring well transects can be installed and you would then have an accurate site characterizations as relying exclusively on monitoring wells or site characterization as U.S. EPA Region 5 has done is unreliable according to Washington's own information.

Traditional monitoring wells can miss horizontal and vertical plumes of contamination as stated by U.S. EPA at their own seminar on natural attenuation in the fall of 1998.

Number two, Region 5 has not characterized this site adequately. They are using data from a database, i.e., the RI, the original remedial investigation feasibility study, and old monitoring wells that were never intended to be used to meet the extensive information requirements that are needed to justify natural attenuation according to U.S. EPA guidance documents.

Even using the old monitoring wells for new sampling is not adequate because these wells do not have -- do not -- have not defined the contamination on-site or off-site in a comprehensive three-dimensional manner as suggested by U.S. EPA Washington.

They are currently estimating flux because there is not an adequate number of these wells at different depths to quantify the toxic plume horizontally or vertically.

Three, U.S. EPA's computer model is flawed because it is only as good as the information put into it according to Washington. And that information is flawed as described previously.

Four, Region 5 has given no estimate on how long natural attenuation will take to return the aquifer to its beneficial use, although they said in their own literature that they sent to you it would be an operable unit in 30 years. I'll be 80.

The 1989 record of decision recommended -- recommendation of pump-and-treat would take only three years according to U.S. EPA's Region 5 1998 remedy comparison document for this site that's in the information repository at the library. Obviously natural attenuation cannot be completed in a reasonable time frame and that's what Washington requires.

Without continuous pumping of the water table, at some time intercept toxic wastes from decomposing barrels continue to contaminate the aquifer over time sporadically and in spite.

The natural contingency plan states that EPA must not just act on releases of toxics but also on the threat of releases. So when you have all these buried rusting barrels of toxic waste at the site -- and U.S. EPA knows where the hot spots are because they drug a -- they had ground penetrating radar at this site, and I think they used proton magnetometers and they

know where there's an accumulation of barrels, and those barrels should be taken care of, excavated, remediated, but they have done nothing at this site.

Number six, Dr. Mary Randolph and Ross del Rosario, both of U.S. EPA, and Larry Antonelli of Ohio EPA have all questioned whether there was ample evidence of natural attenuation of certain specific volatile organic chemicals and metals at this site and have called on their region and the PRPs to perform at least five more rounds of testing to justify selecting the natural attenuation remedy.

According to the U.S. EPA in Washington the burden of proof should be on the proponents of natural attenuation, not on U.S. EPA.

Number seven, natural attenuation has been used in conjunction with active remediation, that means taking the toxic chemicals out of the site, at all but six sites where U.S. EPA has

chosen natural attenuation in this country. No active remediation has taken place at this site of any kind, to my knowledge, even though EPA has identified hot spots, why not? Region 5 has not even recently mentioned that the evaluation of contaminant source control at this site other than a cap, and Washington also requires that.

Number eight, because of future seepage from the site significant contamination migration with the potential for impacts on receptors could take place.

Regarding the proposed change in the design of the cap, Region 5 wants to change the cap design from a hazardous waste cap -- which this is a hazardous waste site. They didn't dump cardboard up there. That wasn't the only thing they dumped up there according to some rubber companies, they were dumping toxic waste up there.

Region 5 wants to change the cap designed from a hazardous waste cap to a regular

nonhazardous cap site, frost damage concerns, cost and threatening truck traffic accidents.

There's a memo in the information repository, and that memo is from U.S. EPA technical support and site assessment to Region 1 dated September 1997. It's from Dennis P. Gagney, chief of that section, and he states that the type of cap already selected for this site and the record of decision would have a better long-term minimization of rainwater infiltration, which is the purpose of a cap, than the cap now being proposed by Region 5.

This is very important since natural attenuation is the chosen remedy -- if this is the chosen remedy since this approach takes much longer and in most cases than an active remedy.

I don't believe that being 30 miles from the clay source for the 1989 cap is a prohibitive distance. Could U.S. EPA give us examples from ten sites where a clay cap was implemented by U.S. EPA and how far was their

clay source? According to the U.S. EPA documents the frost damage concern of a clay cap can be minimized by adding additional cover to it, it's that simple.

Concerned about the 27,000 vehicles?

It sounds pretty big, doesn't it, ladies and gentlemen? Well, they're unwarranted. In my opinion State Route 619 already has 14 to 15,000 vehicles a day. How do I know this? I lived on that route, and this new truck traffic would be spread over a long period of time. Cleveland Avenue is not a narrow road as U.S. EPA thinks but a four lane highway, and don't forget, these two roads had no problem carrying the toxic chemicals produced by PRP dumpers from Akron to this site for 20 years, why worry now?

Number ten, natural attenuation does not mitigate the actual or potential threat to receptors because of the increased time needed for natural attenuation to be successful.

Many residents in Uniontown who are

within a half mile to a mile or more of IEL still depend on groundwater for their source of drinking water. Even some who have alternate water available are unable for financial or personal reasons to hook up to this supply so they are now and always have been at risk.

In addition, many ponds west of the landfill are actual or potential receptors since they are recharged by groundwater according to remedial investigation and feasibility study from around 1987, '88.

Number 11, I would like to submit Linda Kern's, the former on-site project manager for U.S. EPA at this site, and she was pretty sharp, I'd like to submit her response to the position paper and comments that were submitted by the rubber companies on the 60 percent remedial design work and related documents from July 1985 as one of my public comments. I would like you to respond to her responses to the rubber companies the same as if they were my own

comments to you because, ladies and gentlemen, in that report Linda Kern disagrees with everything Ross del Rosario just told you.

In closing, the public comment period is the only time that residents who live in this community and are affected by this site will have to legally comment on U.S. EPA's proposed remedy, a remedy that if it is the wrong choice would have dire consequences for your health, your welfare, your property values and the local environment of the community.

We don't have scientists and lawyers or public relations people working for our benefit, for our benefit -- we don't have scientists, lawyers or public relations people working for our benefit like the companies who dumped here or U.S. EPA Region 5 to control this site, however, we do have a very knowledgeable local citizens group that for the last 15 years fought for you at this site, and I am very proud

to be a member of that group.

How many times did any of the residents get to talk to anyone from U.S. EPA on a daily basis like the polluters do? For example, the polluters were in Cleveland behind closed doors months on end and for the last three years with U.S. EPA, the judge and a gag community representative from the township who didn't even have any input into the discussions taking place. Who was looking out for your welfare then?

This process was outrageous. The people have been violated over the years by this site and ridiculous process, had no control or say over their own destiny. Those like U.S. EPA who control our destiny will determine what that destiny will be if we let them by our own inaction. If you don't want the dumpers to win, then stand up with us in fighting this possible reckless remedy that U.S. EPA is proposing for this site.

In my opinion, what is happening at this site is based on money, not so much good science. U.S. EPA constantly emphasizes how much money this new remedy will save. Those are costs that will ultimately be paid by the dumpers at this site. Natural attenuation is just a cheap remedy for this site. I have to question whether U.S. EPA doesn't think we aren't worth a better remedy that uses active remediation and an accurate site characterization to clean up this site in just a few years, not decades.

I know that all our families are worth more than a lousy eight or 12 million dollars that it's going to save the polluters at this site if natural attenuation is implemented.

One more thing.

AUDIENCE: Hey, you've been up there 20 minutes.

MR. WITSAMAN: There's a bottle of water here. It's got benzene, it's got vinyl chloride, it's got metals in it. It represents

for the companies, said that the water in the landfill was just peachy keen and really good to drink, probably be all right to drink. Well, if you want to come up and get it, here it is.

And one other thing, this is my opinion of what's happened -- this is my opinion of what's been taking place at this site for the last 15 years, (indicating). Thank you.

MR. DOZIER: Okay. I'm going to try to cut the applause down so we can spend the time communicating. Thank you, Terry.

Our next speaker that signed up is Rex Shover. Rex, if you'll come up.

MR. SHOVER: My name is Rex Shover, I live at 3707 Edison Street here in Uniontown.

I'm here to read a letter that was sent to me by my brother who lives in Garden Grove, California. This letter was submitted to Bob Martin, EPA in Washington.

Dear Mr. Martin: I'm writing this letter to inform you of my personal knowledge

concerning the IEL site in Uniontown, Ohio.

I was born in Akron, Ohio on March 31st, 1948 and resided with my parents and brothers at 467 Stetler Avenue. In 1952 we moved to Uniontown, and at that time Uniontown population was less than 500 people. I soon discovered that many families there were related to each other through one degree or another.

Every house in Uniontown was supplied with water by their own well with the exception of the Madroo farm where my three great-aunts lived. Their land was located west of Old State Route 8, now Cleveland Avenue, across from the IEL site and was about 27 acres in size.

Their drinking water came out of the ground from a natural spring located northeast of the present day farmhouse and flowed down the creek in a north to south direction where it ran into a pond. A pipe delivered this water from the creek to a cistern in the basement.

The public health department

monitored this water on a yearly basis and was considered to be the cleanness and purest water in Uniontown according to my three aunts. My brothers and I drank water directly from this creek many times during our youth without any danger of any kind.

During the years that I was growing up in Uniontown I never once have heard of anyone with cancer, leukemia or having any kind of birth defects. Most people died of old age, natural causes or accidents. Old age being defined as early 80s to mid 90s.

Now I hear that the cancer and leukemia levels are about the national average or above the national average and one child was born without a brain.

The IEL was originally a sand and gravel pit until sometime between 1959 and 1961 at which time trash and junk started to appear at this site.

During the summer of 1964 I met and

started dating Melissa (Missy) Kittinger. Her father, Charles Kittinger, I soon found out was the owner/operator of Kittinger Trucking Company and was leasing a three acre IEL site.

During the winter of 1964 and '65 Mr. Kittinger employed me part-time as a mechanic's helper to assist in repairs of his trucks at the IEL site. I was told by Mr. Kittinger at one time that I was not to walk beyond a certain point behind the maintenance building because there was hazardous material there and he didn't want anyone exposed to it.

On many occasions I rode along with the dump truck drivers to pick up waste materials from Seiberling Rubber, Firestone, Goodrich, General and Goodyear Tire & Rubber Companies in Akron. This waste material was then driven to the IEL site in Uniontown and dumped.

In 1966 I enlisted in the United States Navy, which started a 25 year career both

in the military and in Civil Service with the Department of Navy. While stationed at the navel air station in Norfolk, Virginia I received formal training in nuclear, biological and chemical warfare and served as a member of the NBC rapid response team.

In June of 1970 I returned to Uniontown after my first enlistment and can remember that on several occasions from 1966 to 1971 observing U.S. Army tanker trucks with radioactive material placards affixed to them both coming and going from the IEL site.

It must be understood that during my first enlistment that I would routinely return to Uniontown on weekend liberty and military leave. My knowledge today is that the Army trucks that I observed were especially designed double-lined tankers designed to transport liquid radioactive waste material.

I reenlisted in the United States Navy in August of 1971 for four more years during

which time I received formal training as an industrial radiologist -- radiographer. This schooling increased my knowledge of radiation, radioactive materials and associated health problems on humans and the nuclear regulatory requirements as specified in Title 10.

On February 28th, 1977 I was hired at the Philadelphia Navel Shipyard as an industrial radiographer and transferred to the Long Beach Naval Shipyard in California in July of 1981 to continue my career in the same capacity.

From 1977 to 1994, at which time I retired as a GS-11 quality assurance specialist in ship building, I received extensive training and experience concerning radioactive materials, radiation safety, the health effects associated with radioactive materials and ionization radiation and the Nuclear Regulatory Commission requirements as specified in CFR Title 10.

During my career I have worked with high energy x-ray machines, Cesium 137, Iridium

192 and Cobalt 60. I was properly trained in safe handling thereof.

Today I'm employed as a nondestructive testing inspector for a company in Garden Grove, California. In December 1988 we were contracted to perform inspections at the San Onofre Nuclear Generation Station (S.O.N.G.S.) located in San Diego County, California at which time I received training in nuclear safety, security, hazardous materials, hazardous waste and et cetera prior to performing our required inspection during the outage phase and refueling of unit two.

I will return there again in March of this year for more training prior to inspecting unit number three during its outage phase for repairs and refueling and will require more training.

This basically sums up my knowledge and experience in the aforementioned topics. I will now focus on the problems at the IEL site in

Uniontown.

I find that the presence of so many types of radioactive materials and the energy levels being emitted at the IEL site and in the surrounding groundwater to be a very serious problem and could create long-term health problems.

Now referring to an article written by Bob Downing, a staff writer for the Akron Beacon Journal that was published on Saturday, January 23rd, 1999, "Toxic Heavy Metals That Appeared to be a Puzzle Based on 1997 Test Results were Reanalyzed Using a Different Testing Method." His question is this, what testing method was used, the magic wand technique?

Joseph Towarnicky of the Columbus-based Sharp & Associates made the statement, "Metals do not seem to be an issue." Really? Now, Mr. Towarnicky is either a bona fide idiot or he's been taking lying lessons from President Clinton.

Cobalt, uranium, thorium, plutonium, strontium, cadmium and radium are heavy metals and have been found in the groundwater in and around the IEL site. Mr. Towarnicky states that heavy metals do not seem to be an issue.

Now, Mr. Martin, I have some serious questions concerning the IEL site. Is the Nuclear Regulatory Commission involved in any of the cleanup and monitoring of the IEL site? If not, why?

The U.S. N.R.C. is responsible for the licensing requirements for anyone manufacturing, handling, shipping, receiving, disposing and storage of radioactive materials and waste by-products including monitoring requirements, training and the associated records thereof.

Did the U.S. Army hold an N.R.C. license to transport and dispose the radioactive material at the IEL site? Did Kittinger Trucking Company and the owner of the IEL site have an

N.R.C. license to receive and store radioactive material? To my knowledge they did not.

Did the IEL site meet the requirements of a disposal site for radioactive materials as specified in U.S.C. Title 10? To my knowledge the answer is no.

MR. DOZIER: Okay. Thank you. I want to ask you all to help me because I wanted to make sure that everybody will have an opportunity to speak tonight and I'm not worried about time. Again, I'm not going to try to cut people off, but I would ask that you make these presentations consistent with what you want to say as brief as possible so we can give everybody a chance to speak.

Our next speaker is Sue Ruley.

MS. RULEY: You can scratch my fellow trustee off there, he's just loaned me his three minutes.

MR. DOZIER: No, we're not doing

three minutes, and I'll call him out and if he wants to speak out he can.

MS. RULEY: Okay. All right. Okay.

My name is Sue Ruley, I'm a Lake Township trustee.

We have come here tonight with the hope that our input will be taken seriously and this meeting will turn out to be more than just an obligatory hearing to comply with legal requirements.

It should have come as no surprise to anyone that this site has become so controversial because it's located in the middle of a town. This IEL has become a cancer on the landscape of the township, I think we'll all agree on that.

As citizens what do we know? Well, for one thing we know what the EPA's own experts have said in the past. As recent as 1995, Linda Kern, U.S. EPA, wrote a very detailed report refuting the PRP's statements that nothing need be done at this site.

This report is very explicit that data, up to 1995 at least, made it clear that this was a dangerous Superfund site; that a one to two foot separation between the waste and the water was not acceptable; that the site came under RCRA Subtitle C with regard to requirements; that the PRPs were wrong when they stated the maximum contamination levels had gone down when, in fact, many instances they had gone up; and one full year of quarterly testing needs to be done to accurately assess groundwater conditions and on and on.

Anyone reading the current report must agree that up to 1995 certain serious factors were being taken into consideration and answers to very important questions had to be given before the record of decision would be changed.

Now, we jump ahead to March of 1999. One round of testing done by the PRPs and sent to a noncertified lab has changed everything that

happened before. The PRP's request has remained constant, nothing need be done, and we can expect that. What we cannot expect is now that the EPA has agreed. Is this March '97 test the new information referred to in the fact sheet that was sent out to the public?

In 1992 the EPA commissioned Clean Sites to make an independent study of the site. This report states clearly that in all testing, especially at a controversial site, split samples must be taken and blind sampling must be done.

The Scientific Advisory Board in their report also stated verification of a lab should be done by a pre-award audit and by submitting blind samples to test the lab's reliability. Having the polluters sample and send it to a lab of their own choice, which is noncertified, is hardly my idea of a blind testing.

On December 17th, 1997 Dr. -- Mr. del Rosario wrote to the PRP's laboratory saying, and

I quote, In order to estimate the rates of natural attenuation to a degree suitable for assessing its contribution for achieving site goals, pertinent data must be collected in a time series of at least five significant time points at a number of sampling stations. Again, such comments from EPA hardly condone the one shot testing that is now being proposed.

This letter also casts serious doubts on the PRP's conclusions that there is no problem with the maximum contaminant levels. This letter states in part, and I quote, The tables show steady increases in concentrations from 1988 to 1997 for benzene and chloroethane in shallow wells, 1,1-dichloroethane, 1,2-dichloroethane and benzene in intermediate wells, 1,1-dichloroethane and 1,2-dichloroethane in bedrock wells.

Quote, It is noted that these compounds are intermediate degradation products, not end products, and in some cases these compounds are more toxic to human health than are

the parent compounds.

Quote, Cadmium, lead, arsenic, antimony, thallium, nickels are reported at concentrations higher than monitoring MCLs in every monitoring well and again on and on.

In March of '98 Dr. Mary Randolph stated in a letter that data suggests that the contamination plume could further expand resulting in contamination of groundwater downgradient and that, quote, Natural attenuation appears to be incompetent to reduce some toxic metals below the MCL in groundwater.

Interestingly, in Mr. del Rosario's instructions to both Dr. Mary Randolph and Dr. Luanne Vanderpool, he gave instructions that monitoring wells 12 and 20 were to be considered as background wells. You will also notice in the fact sheets that came out to your homes these wells are pointed out as background wells.

He went so far as to state regarding those same wells that they, quote, Suggest that

certain metals occur naturally at elevated levels.

What he does not mention is that the Science Advisory Board's report, which seemingly has become the EPA's bible, clearly states that these two wells, 12 and 20, would not be adequate to characterize the mean and variability of background radionuclide concentrations, quote, given the radial nature of groundwater flow at the IEL site, these two wells are clearly inadequate for characterizing background.

Data from monitoring well 20 is particularly suspect given the site flow patterns, however, this would still be true if the pattern was simple, east to west. Yet here we are years later with everyone being told that these wells are to be used as background. Well, what are we missing here? We are told not to worry folks because more monitoring wells are going to be done to determine future

contamination problems. However, this whole issue is going to press right now using those same suspect wells that the SAB clearly stated are inadequate for such use. A monitoring well dug sometime in the future is not going to help us now.

In December of '97 in a critique of the 1997 water test Mr. Lawrence Antonelli, the site coordinator, wrote to Mr. del Rosario and said, quote, Ohio EPA does not have any reason to believe that future releases of heavy metals will not occur.

Quote, Metallics were found and varied by concentration in nearly all of the off-site monitoring wells. Quote, Historical groundwater data does not entirely demonstrate trends of decreasing contaminant concentrations over time for all monitoring points. Not only was the data called into question but so was the cap cover. Mr. Antonelli seems to have changed his mind.

The EPA publication entitled, A Citizen's Guide to Natural Attenuation states, Because the ability of natural attenuation to be an effective cleanup method depends on a variety of conditions, the site needs to be well characterized to determine if natural attenuation is occurring or will occur.

Speaking of characterization of wastes, early in the program both TAG grant experts repeatedly called for core samples in this site. In the SAB report cores were referred to throughout the entire report. The report states, quote, The scientific studies used by the agency to support their selection of a groundwater monitoring program and not a soil core sampling program are summarized, and it goes on in two letters.

And the co -- the SAB report goes on and, quote, again, Both of these reports include technical flaws and provide no clear evidence that groundwater monitoring is more sensitive in

detecting the presence of radioactive material than would be a solid core sampling program.

For years CCLT has been calling for cores to be done. Now, after all these years again we hear from Mr. Kern of the Ohio Attorney General's office who asks, What do you mean by cores?

When Mr. del Rosario came into the township office I asked him why haven't cores been done? His response, What do you mean by cores? Perhaps they could ask the TAG consultants or maybe the SAB panel for their answer.

So we have reports dated '95, '97 and '98 from EPA's own technical people added to what past TAG grant experts and others have said, and I believe that the inconsistencies are enough to warrant a rethinking of the new proposed remedy.

These years have been exhausting and frustrating for township officials and community

leaders. No one desires a healing of this environmental cancer more than we do. Our hope is that you will seriously consider our concerns and render a proper verdict. And we will be turning in something for the administrative record.

MR. DOZIER: Thank you, ma'am. I appreciate it.

Don Myers.

MR. MYERS: I yield my time to Sue Ruley.

MR. DOZIER: As I said, okay. I would call next on Chris Borello.

MS. BORELLO: Good evening.

MR. DOZIER: Hold it closer to your mouth.

MS. BORELLO: This okay?

MR. DOZIER: Yeah.

MS. BORELLO: First of all, for the record, I want to state the CCLT has written U.S. EPA administrator Carol Browner asking that she

put an immediate halt to this entire process because it is such a sham. I stand by my earlier statements in the Akron Beacon Journal when I called it corrupt, sick and as evil as you can get.

We base this request in part on the technical letters that we just obtained that were written by both the state and federal EPAs. Both letters raise numerous concerns regarding attenuation at IEL, and indeed preponderance of evidence stated in these letters appeared to go clearly against implementing attenuation at this site at least until far more data is collected including better characterization of waste material buried at IEL.

We were outraged that these particular letters, both written in December of 1997, were deliberately withheld from the public until just recently. One letter was even described to me as being classified by its author. That was Dr. Mary Randolph.

I contacted her in Ada, Oklahoma.

She said, How did you get it? How did you get it? I was told by Mr. del Rosario it was to be classified, how did you get it?

One letter was even -- excuse me. It was very obvious that we were never meant to know about this internal disagreement at EPA regarding attenuation issue. Had the township lawyer not written a formal request to obtain this, I am convinced that we would still be in the dark regarding central concerns listed by a scientist at U.S. EPA in Oklahoma.

In fact, the reason we got a 30 day extension to this comment period we're now entered in was because the EPA letters had also been withheld from us until the comment period was nearly halfway over. This stated letter was even more damning against the polluters' plan calling for attenuation than the one written by the scientist at U.S. EPA.

Furthermore, at this point I still have yet to figure out exactly how both the state and federal EPAs have managed to dodge and ignore U.S. EPA's own 1995 legal written response to the polluters' attorneys that took EPA six months to write which stated in numerous ways, both legal and technical, that this plan should not be implemented characterizing it as a no action scenario.

This 1995 report states -- stresses, among other things, that the, quote, significant threat of release is enough in itself to continue to call for active -- to continue to call for an active remediation of the IEL site versus this passive do nothing proposal despite the fact that IEL contains millions of gallons of hazardous waste and high levels of toxic gases.

If this is legally true just a few years ago in 1995, what in the world has changed? Is EPA suggesting that millions of gallons have suddenly disappeared over the last

three and a half years or what? Did EPA remove those barrels, thousands of barrels that lie silently within IEL as ticking time bombs when we weren't looking?

The only thing close to an explanation I have received from an EPA official recently is that it doesn't matter that all those tons of toxins are sitting there perched a few feet away from the water table because the proposed monitoring of the site will miraculously catch anything leaking from IEL with those monitoring wells.

I guess the state and regional EPA haven't heard about the most recent information disseminated at U.S. EPA's seminars in the fall and winter regarding attenuation which calls for its push technology program to be implemented stating that monitoring wells may, in fact, miss migrating contamination. Golly gee.

Given the high rate of flow at IEL according to USGS is up to six feet a day. Will

EPA be willing to put it in writing to all of you that it will be testing those wells daily or weekly, indefinitely to pick up contaminants that may break loose from a barrel at any given time?

We're sitting here, you know, a few thousand yards from IEL right now. What may be breaking loose now? They haven't monitored this site in the last five years and they're saying, oh, but trust us, we'll monitor in the future for you, we'll protect you. Right.

And if high levels would be found in those wells, they don't have anything active to stop it from going out, what then? What if the barrels or canisters are just now starting to leak?

Oh, wait a minute, I just remembered what happened. I said I didn't know what could have been the cause for them to change their mind after the 1995 report I'm just citing, I just remembered, it was those closed-door secret negotiations that took place for the last three

and a half years. That's what happened, that's what made the difference.

And, you know, we all yelled and screamed. The township finally got in on the 11th hour, my group still never got in. We were backed by the papers, but, you know, too bad, you know, you're only the people that will have to live with the results of this for the rest of their lives, doesn't matter.

Once again, I can only conclude as with the radiation scandal that there is absolutely no real science going on at IEL but just pure politics. What amazes me is how EPA continues to creatively finesse its way into claiming that a trend regarding contamination is somehow miraculously emerged even though only two rounds of testing have taken place since March of '93.

And its own in-house experts, as you've heard again from Sue Ruley and myself here, have stated at least five more rounds are

needed to make any really definitive statements, but, again, if there is no science going on anything is possible, I guess. All that matters is how good the spin is.

Okay. It's put out there for public consumption and manipulating the data and the statistics. I've heard it often said that you can make numbers say just about anything you want them to say, and I believe this has been the case for a long time at IEL, particularly on the radiation issue.

While most people are only interested in groundwater rather than exposure aspects of the cleanup, that's the most popular and the most thing that you think of first, I have spent most of the last 15 and a half years learning about insidious effects regarding soil ground migration, and I have spoken with some of the nation's leading experts to learn about some positive and proactive solutions to protect the health of our community residents.

I would like to ask the EPA once again to comply with the NCP as was done at the OII site in Monterey Park, California where polluters were legally required by U.S. EPA to control lateral migrating toxic and carcinogenic vapors down to health state standards below parts per billion.

Why is it that Region 5 attorneys are only legally requiring the IEL polluters to keep the methane gas -- you keep hearing methane venting system. There's 150 tons of toxic gases not including methane generated yearly, and that's a low-ball estimate according to our technical experts than we had more than a few years ago.

You don't hear any mention of toxins and we would just -- it would be nice if they would not control them. They say, Oh, we will. One time I heard them say they would control them to zero. I sat at one of the EPA meetings, We'll

control it to zero. Well, I want the proof, I want to see it legally designated like the OII to pay for that, PRPs are required, they must monitor and they must control it down to low parts per billion.

You hear they're only right now proposing our polluters to keep the methane only to 50,000 parts per million, not PPB, parts per million. Is this also being done I suspect to save the polluters money? If it isn't legally enforceable could it be possible -- I'm hearing recent statements from the PRPs, They really care about you folks, they really do, they care about the citizens, they care about the employees.

Well, if they really care, and even though if Mr. Thurlow here in turn just legally can't enforce it, maybe our PRPs would like to sit down with my group and we'll go over the OII legal ROD, which we have copies of from California. U.S. EPA Region 9 provided them to us and the state EPA, and I would really like,

and I would like this to be on the record, I would like to sit down with Mr. Leo Tsosi, Mr. Thurlow, Mr. Kerns and let's dissect that California case and see if we can't achieve those low parts per billion with monitoring the site here at IEL.

Given the vagueness of your current statements regarding gases, we have no way of knowing what actually remains in this critical aspect, but I assume it's been gutted because we see everything else gutted.

Finally, EPA is once again sweeping all of our previously identified compounds under the rug. Given that I have been told by the scientists that worked on the plans for the Beltz case that we have top secret Army nuclear weapons and many waste material buried at IEL. It greatly concerns me that EPA and the polluters completely dismiss TICs and unknown compounds, which you all have copies of, examples of from the latest round in '98, and they have routinely

shown up in the wells at IEL for year after year after year. Indeed, it was the vast majority of compounds that we saw in the groundwater everywhere.

I will never forget the day in December of 1992 when U.S. EPA radiation expert Dr. John Broadway from Montgomery, Alabama called me two weeks after a public meeting was held right here in this room, and he acknowledged to me that indeed plutonium 239 that I had questioned him about at the meeting two weeks earlier, he says, It is valid, Chris, and we are concerned because it shouldn't be showing up at 92 feet down on top of bedrock under the landfill.

When I questioned him wasn't this very dangerous substances, Dr. Broadway agreed that it was, and he said it was actually one of the most dangerous substances known to man.

EPA proceeded in months to come to blow off this plutonium finding just as being a

trace level, oh, well, along with some other samples also contained and found in other locations.

Nevertheless, I am still horrified and appalled that EPA and polluters can continue to forge ahead with this plan to legalize this attenuation at IEL. Like Terry stated, it's been going on for the last 15 years, you know, anyways, but if they want to make it legal.

When such compounds of unknown quantities gets to be discovered and put our residents at further risk, it is beyond comprehension that you are willing -- if you aren't willing to act on the side of caution, I'm referring to the EPA here and the polluters, when you don't really know what all is buried in IEL and what could be released.

In closing, I resubmit to you your own words from your own experts regarding attenuation and ask that you heed them.

And I have one more thing that I

recently obtained since today or yesterday. We just obtained the company's -- copy of the company's fact sheets stating that they disseminated to hundreds of their employees in the area and so they -- you've heard that they want to scrap even the cap, okay, and that's part our old blue light special from 1989, our proposal is to sit down and reopen and direct the radiation count, you know, and have a much better cleanup.

But, here's a little picture -- instead of -- the PRPs are proposing poplar trees, get rid of the cap and we'll plant like poplar trees with long tap roots and they'll suck the chemicals up.

No, I'm serious, that's what your companies have proposed to their employees and they're going to propose it to Mr. Thurlow before this comment period is over. While you're commenting against all this they're going to -- they're working to even downgrade the cleanup

further.

Now, here's my proposal. If they're going to propose poplar trees, I want to propose sunflowers. No, wait a minute. I have this article I received from the Beacon Journal, got it from some expert in Pittsburgh, they're always getting information, Bob passed it along to me a few weeks ago. It says, "Sunflowers Bred to Absorb Strontium Cesium Blooms on Pond at Nearby Chernobyl," okay.

So, you know, I think sunflowers -- I'm a gardener, I think sunflowers would look much nicer if we're going to do this instead of poplar trees, and maybe they know something about the sunflowers obviously have some affect on the radiation so let's put something that might be a little proactive for the rad. Thank you.

MR. DOZIER: Okay. Our next speaker is Reggie, Reggie Witsaman, is she here? Oh, okay. Great, thanks.

I keep repeating this to little effect, but I really do want to try to give everybody a chance to speak here before we finish. We're not leaving until everybody gets on the record, and that means if we have to stay here until 2:00 the record will be open until then. And so I will give you people plenty of time, but I would like you to try to take consideration for the people that are last on the list. Thanks. It's on.

MS. WITSAMAN: I won't be as long as the others, they had more knowledge about this site than I have.

I really wasn't going to submit any kind of a written comment on the proposed new remedy at the IEL until I picked up the Akron Beacon Journal this morning and read the front page story about the remedy proposed by the rubber companies in planting trees, vegetative, vegetables and stuff. I didn't know whether to laugh or cry at this ridiculous proposal.

I have been actively involved in the IEL problem, or lack of depending on your point of view, of this site since it first made Superfund about 14 years ago.

I became involved when my daughter attended the day care that used to exist on Cleveland Avenue. And I went there one day to find the Uniontown Fire Department evacuating the children because it reached explosive methane levels at the site and they had to evacuate the kids. So I was just shocked then to learn that the undeveloped land behind the day care was a dangerous toxic dump.

Well, I was really naive back then because I thought once we got on the Superfund list that the EPA would be our knights in white, you know, shining armor and would come to our rescue and do all the right things that they should be doing but they hadn't.

I mean, they have found toxins in our groundwater and toxic gases that are migrating

off, and this has been going on for 15 years.

Oh, yeah, they'll tell that they gave alternate water, that they brought it in, but don't forget, they only give it to a few people, homes, and the rest of us had to pay out of our own pocket to hook up, and there are still people unable to pay that are at risk.

But looking back over 14 years, the hindsight being better than foresight, it has become clear to me that this site was never about good science in trying to protect the health of the residents. It appears to me that it is more about how the polluters use the EPA as a shield to hide behind so that all the heat and anger from the citizens is directed at them.

Now, don't feel sorry for them because I believe the suits of U.S. EPA are active participants in this game. My opinion is that U.S. EPA puts up a pretense in trying to protect their residents by performing mediocre science in an effort to keep liability and

cleanup cost down for the polluters, in exchange U.S. EPA gets credit proclaiming that they got a cleanup decree and then they would put it on their official record as a successful completion and they get raises and promotions. The PRPs win, the EPA wins but we lose.

I believe they have drawn the whole process out with the hopes of wearing down the citizens groups and the residents. I believe U.S. EPA's lack of action over the past 15 years has been more hazardous to our health than the toxic site.

It appears to me that the rubber companies have always been concerned about their image and portrayal as good citizens of the community. The time has come now for them to cough up the money and clean up the mess that has been made in our back yards, but all they think about is their bottom line.

What do I think is going on? I believe Uniontown is becoming the poster child

for all future cleanups in the country where a scientifically bankrupt U.S. EPA is only concerned about another beat on the jar and kisses the bottom line of these corporations.

What do I want? I want the best possible cleanup for this site based on proper scientific testing. I want this site cleaned up in less than three years. I want alternate water provided to everyone in this town that has not yet been able to hook up.

In addition, I want what the citizens of Woburn, Massachusetts want, I want the executives of these firms as cited by the PRPs to stop hiding behind their attorneys and come to this community and apologize for the mess they've created. I want them to see our bottom line, which is the health of our children.

MR. DOZIER: Thank you. Our next speaker is Norma Bolt. Thank you, ma'am.

MS. BOLT: Hi. This is short and sweet. I'd like to respond to your March 1999

EPA fact sheet and the proposed cleanup in general.

First let me tell you I am a 30 year resident living just northwest of the dump. I am also a major cancer surgery survivor, a vulvectomy so far. I still require yearly biopsies. Several of my children have had unusual tumors, and this last week my husband has been diagnosed with a form of lymphoma cancer. These in families with no history of cancer, not even one case.

Let me give you several reasons why I'm not so foolish as to believe your agency or the companies. In reading the March 1999 EPA public fact sheet and the results reported from the monitoring wells, two things stood out for me. The VOC organics detected in this statement lower than their maximum historical concentrations, and, two, the inorganics and their sporadic exceedances for federal drinking

water standards.

Put these two facts together with the stupid statement from the companies that a cap would/could squeeze out thousands of gallons of contaminated liquid, but natural attenuation of unidentified toxins by planting poplar trees will surely take care of the problem.

Red flags everything you're trying to impose upon us, particularly since a recent report of the companies showed 8,300 parts per billion of benzene or 1,600 percent higher than the cut-off percentage. We know and you can't dispute how much was dumped on us. The thousands of barrels yet to break down and rust, sporadic is a great word, your choice.

This is not going to go away with dewdrops and tree roots. It's laying there insidiously seeping out because you refuse to seriously clean it up. And will you be there sporadically monitoring as it sporadically seeps?

The technology is available, and if this town could handle the trucks bringing in this payload I'm sure we can handle the trucks taking treated wastes out.

I started out 15 years ago respecting my congressman and my government entity, EPA included, and now instead most of those involved look to me to be culpable and protecting of government and business rather than Uniontown and her residents.

They talk of good public gain and I'm sure they'll race to win for us, but I'm not going to hold my breath. Apparently money and/or pressure talks and ethic walks, and I think we're getting stomped on.

MR. DOZIER: Thank you, ma'am. Our next speaker is Greg Coleridge.

Yes, the Court Reporter is asking a reminder, and I haven't been doing it, for people to spell their names.

MR. COLERIDGE: My name is Greg

Coleridge spelled C-O-L-E-R-I-D-G-E. I'm the director of economic justice program of the Northeast Ohio American Friends Service Committee, which is a Quaker social action organization.

The first thing I would like to enter into the public record, if I might, the transcripts -- transcript of the hearing, public hearing that was held January 25th in Uniontown, many of you attended, that was sponsored by EPA, the ombudsman Bob Martin and Hugh Kaufman. This is the full transcript, and I'd like to pass that along.

Many people we work with and support our work live in or near Uniontown and the IEL. For the past two and a half years we have tried to support the Concerned Citizens of Lake Township and Lake Township Trustees in their experience to learn the truth of what is there literally at the IEL and then take appropriate actions to remove the dangers to the community.

I stand here this evening to voice my opposition to the proposed changes to the IEL cleanup plan. While it may be technically correct to say these changes are proposed by EPA Region 5, it is probably more of a reality to say that these proposals originated with the polluting corporations. It was, after all, reiterated what has already been said several times this evening.

Representatives of the polluters who took the lead in both the 1997 and 1998 testing rounds, EPA Region 5 permitted, in fact, the polluters in 1997 to send water samples to their own noncertified labs but would not provide samples to the community.

The 1998 tests were also lead by the polluters with minimal direct oversight by EPA employees. I believe Mr. del Rosario was present for a whole two or three days of the two weeks. There were no core samples, no testing for radiation, no double blind tests.

Letting polluting corporations take the lead in testing to determine contamination at IEL which will affect cleanup plans and the cost of those plans is like letting the tobacco corporations test and determine whether smoking causes cancer. It makes no sense.

It is a fundamental conflict of interests, it provides no checks and balances. It violates the public trust and threatens the public interests.

When did the people turn over our authority to protect public health to private corporations? When did the public give permission to public agencies like EPA to lay down and allow private interests of corporations to be superior to the public interests of citizens?

Given this public unaccountability over corporations, it is no surprise that test results contradict earlier findings of those who have already been mentioned this evening.

EPA's own staff like Linda Kern in 1995, EPA scientific internal experts like Mary Randolph in 1998, it's too bad she couldn't be here this evening, and Ohio EPA staff Larry Antonelli, who concluded that natural attenuation together -- all of these individuals concluded that natural attenuation is either not happening or should not be considered as a cleanup remedy.

What is unclear to me in all of this, the puzzling fact is to what extent up to this point EPA Region 5 leadership has fronted for the interests of the polluting corporations and what extent it has fronted for the U.S. military.

A recent FOIA, meaning Freedom of Information Act Request, that I've been receiving information regarding dumping at the IEL produced a packet of materials, not from the Army, they had seemed to route everything through EPA, containing evidence that the Army did dump something, at least something at the IEL in

1970.

The packet also showed that the region sent requests for information on radiation to only five agencies nationwide, only five out of what are invariably hundreds of branches of the U.S. Army nationwide.

How hard did EPA really try to get to the bottom of what may be at IEL concerning radiation? This is to us significant. Since we have heard eyewitness testimony both a couple of months ago at the hearing sponsored by Bob Martin and Hugh Kaufman as well as this evening that vehicles bearing radioactive markings entered the landfill after hours or during hours.

If there is radiation here, can it naturally attenuate? If so, how many years, decades or centuries will it take given the half-life of some of these materials? And what do residents do in the meantime?

There is something called the precautionary principle that I believe is

relative to this situation. This means that when human health is in doubt the appropriate response is precaution, not risk. If one is unsure of what to do, one doesn't risk an action or series of actions that will jeopardize human health in the long-term.

As has been mentioned this evening, the burden of proof falls on polluters and all others who claim that the toxins at IEL have just disappeared, which even their '98 data results for benzene and other chemicals simply do not show.

Finally, I would like to present a letter. It is actually a Freedom of Information Act Request. I kindly ask for it be forwarded to Michael Shumaker, the Freedom of Information Act officer at Region 5. I would like to present this letter to Mr. Thurlow.

It requests a document that a Region 5 staff person, who spoke to you a couple of weeks ago, said Mr. Thurlow, who is the Region 5

attorney over IEL, now possesses. From what I was told the document shows that the Army sought guidance from U.S. EPA to release information it had on radiation at IEL. This EPA staff person in Chicago said that the U.S. EPA forwarded the request to Mr. Thurlow.

This EPA staff person also said the document made reference of some sort by the Army to withhold a portion of what it had on this topic at the IEL, that being radiation.

I'm certain that the public here would very much like to know about this and any noted related documents.

We look forward to response by Region 5 within the next two weeks as the law deems us. Thank you.

(Short recess was taken.)

MR. DOZIER: Again, our next speaker is Marcia Zawacky.

MS. ZAWACKY: Good evening. I've been watching this for a long, long time from

down at Canton, Ohio.

My name is Marcia Zawacky,
M-A-R-C-I-A, Z-A-W-A-C-K-Y. I live on Harrison
Avenue, Northwest in Canton.

Extremely concerned about this. I
have a few brief comments. I hope that it
strikes some people's hearts, I really do.

Dejavu all over again. You see in
parallels here. Does anyone remember the Love
Canal? Okay. I think the government finally
bought that, right? How about the cigarette
companies that deny their product was harmful
until someone on the inside gave out the critical
information that was needed to bring the
cigarette companies to task.

Do the recent closed-door meetings
with the polluters and the ultimate decision by
the U.S. EPA remind you of the Olympic
committee? Right.

Here's the punch lines guys:
Remember all these entities were ultimately

exposed and an extreme remedy occurred or is occurring? Give up the denial and the stonewalling, okay, and get busy and fix this situation for the citizens that are being affected now and so the future generations for whom we are role models, all right, will learn to act in a responsible way.

MR. DOZIER: Thank you. Our next speaker is J.E. Farley.

MR. FARLEY: I'll pass on any comments, just a question.

MR. DOZIER: Well, wait, if we're going to -- I want to make sure that we get on the record, please. State your name.

MR. FARLEY: James E. Farley, 8832 Cupid Circle in North Canton.

I'll pass on the comments, but I have a question. Will --

MR. DOZIER: Address it.

MR. FARLEY: Will we receive a specific answer to this great discrepancy in view

of the condition of the site?

MR. DOZIER: Question was are they going to get answers to the comments that were submitted tonight?

MS. GAWLINSKI: The answer is a definite yes. And as I mentioned at the beginning of the presentation, all the comments that we receive tonight and in writing through April 11th will be answered in writing in a document called the responsiveness summary, and that will be made public along with the record of decision. So the answer is, is a definite yes.

MR. DOZIER: Just a follow-up, will that be mailed to people or will they have to write and ask for a copy of it?

MS. GAWLINSKI: Well, we put copies in both of the repositories. If anyone would like an individual copy, I will send that to you directly. And I guess what I can do is start a sheet in the back of the room and as you exit --

or actually I'll have you put a check mark next to your name on the sign-in sheet if you would like a copy of the full responsiveness summary, and when that is prepared I will send each of you a full, a full copy of that. Does that sound good to everyone?

AUDIENCE: Yes.

MS. GAWLINSKI: Okay.

MR. DOZIER: That may be a fairly voluminous document so maybe not all of you want to get it.

Our next person who signed up is Dave Martin. Mr. Martin.

MR. MARTIN: Dave Martin, no relationship to Bob. I'm actually from Columbus, Ohio, and I'm not affiliated with any group there, but I think I speak for a lot of people in the central Ohio area.

And the reason why I came up here was to see exactly firsthand what was going on with all the people concerned and the area residents.

We had a three hour talk show about three weeks ago on one of the most popular and most listened to radio stations in the whole state, WTBN. And it was all about the environmental problems all around the state and even, in fact, all around the country, and it was -- I experienced it here, people calling in around the state with all kinds of different questions and different problems and a lot of cases unaddressed.

Now, I've attended a lot of different EPA hearings concerning different issues around the state, and I know that the Ohio EPA has a lot of fine people working for it so when I criticize them, I don't want to be taken personally because I'm the speaker in that regards, but the Ohio EPA in the past eight years under Governor Voinovich has been an absolute disgrace. And when you make a statement like that, you got to be able to back it up.

Well, I have some stuff here that I

think will back it up, and this all relates to my questions and I think a lot of people's questions on what's going on here today.

When I say it's been a disgrace, why is that? Well, when you read articles around the state like this one from the Cleveland Plain Dealer, Sunday, December 28th, 1997, "Ohio Relies on Factory Inspections. More than 1,000 Companies Operate Without Air Permits." This is the type of thing that the Ohio EPA has let go on for a number of years. This is just one instance.

You start looking at these articles, "Pollution Permits Overwhelm Ohio EPA." It's the same thing, "U.S. EPA Has to Look at Elyria Plant Let Go By Ohio." This is all about companies spewing out pollution in unbelievable amounts, whether it's air pollution or water pollution.

"U.S. EPA Says Air Polluters Lacked Permits." Well, we know that. If you go over

these articles, time and time again it's all these companies, especially in the northeastern part of the state, right up in your area, that are at fault. And when you come and do a little bit of research you find out there's been a lot of controversy involving the Ohio EPA and the conditions that are supposed to monitor things.

Now, I've got an article right here from December 3rd of 1998, "U.S.," which is United States, "EPA Sues LTV Over Repeated Violations." So, I mean, this is all current stuff and things that are affecting everybody, and the reason why I bring it up is because I think it shows a pattern.

The Ohio EPA has been very lax in monitoring big pollutants, and when the Ohio EPA says they're going to be involved and they're going to monitor the situation up here, I think everybody has the right to question that, what exactly does that mean? If you go by the past track record for the last six, seven, eight

years, it hasn't been diddly squat, I can tell you that.

Now, some other things to document exactly what I'm saying when I criticize Ohio EPA, the corporate dispatch did a real in-depth study just about the problems around the state. This is from October 10th, 1998, front page, "Poor and Powerless, Ohio EPA Finds Pollution but Rarely Cleans It Up."

Now, I mean, this is all documented facts. And I think when you start to look and see, you talk about here, "Toxic Chemicals Removed From a Sandusky Marsh Despite a 17 Year Study." How long do you have to say something before you finally decide it has to be cleaned up?

And, of course, they've got pictures to go along with these articles, and believe me, when you read these things it's an absolute disgrace. In the meantime you've got kids in families all around the state that's dealing with

leukemia, okay, and cancer, which you guys are well aware of right here in the state.

And you read an article like this, "Ohio's Toxic Tally, Ten Cleaned Up, 1,192 To Go." Yeah, it's mind-boggling.

So, you know, like I say, I have real problems when the Ohio EPA says they're going to monitor something because we see their past record. Well, that's enough about the Ohio EPA.

And I won't even mention the fact that -- well, I guess I will mention it, that now we're finding out where they've been nailing people that supposedly have been falsifying reports to the EPA, jury actually convicted a guy, this is concerning water pollution. So, like I say, I could go into more details, but I think I pretty much made the point on Ohio EPA.

Now, when you start talking about the federal EPA, and, you know, the people I've met up here have been real classy people and they've

been real nice and I met with them yesterday to try to find some information and I have no problem with them, but when you start to look and see what's going on around the country, it's mind-boggling.

And when I find some articles like this one I'm looking at right now, this is from the Boston Globe, January 17th, 1999, "Air Survey Cites Toxicity, EPA Shelves Data Release." Well, why do they shelf the release of this document that is talking about just how bad the air is, et cetera, et cetera? Well, because the U.S. Conference of Mayors gave the EPA second thoughts.

So the bottom line is that you give some people some power or influence, all of a sudden things start to get swept up under the rug and things start to get covered up, and that's a pattern that's real documented.

Now, when you start to look and see little stories that to me are mind-boggling --

I've got a story right here from the Houston Chronicle, and this is right in your back yard, front page of the Houston Chronicle, November 29th, 1998, "A Cancer On The Land." Now, guess who in the heck they're talking about? They're talking about your friends right up here in your back yard, B.F. Goodrich, General Corporation, et cetera, and they're talking about this PVC resins that is afflicting pain and suffering on this Ohio town. They're talking about the number of people that work at these places and how they're getting cancer and sick, et cetera, et cetera.

Now, I do know that some of these former companies, now they're hightailing out of Ohio and heading down to North Carolina to set up their new corporations, whatever, and that's not surprising.

But I've done a lot of research now, and this is on the federal level, you find out that there's all kinds of groups just like you guys that are fighting pollution and what all

it's doing to them.

I've got a story right here out of the U.S.A. Today, "Tribe Fights Toxic Giant." It's the same thing, people coming down sick, dying, et cetera, et cetera, and the U.S. EPA, these other agencies have done just about very little to help them out.

And, you know, I got an article here, "Nuclear Plant's Neighbors Lose Patience With Cleanup." It's the same story. Now, why is this a problem I should be worried about? Okay. Well, when you find out now that doctors are starting to report this thing -- and here's an article from the Tennessee paper, "Agencies to Discuss Illnesses."

Now you've got reported details of illnesses nationwide, and this is all about the hundreds and hundreds of people, documented cases of people who are coming down sick from these nuclear weapons depot sites.

And like I say, I've got the articles

right here, and it's the same old pattern where, you know, they're saying, we'll do more testing, more studies and more this and that, and in the meantime a lot of people are going down the tubes and I think that's crucial.

I want to try to bring it on into how it really affects the people here. I have problems where there's any type of closed-door, back room deal being cut. It's saving the big money boys a lot of cash, and we see that all the time out here.

And when you know that the big corporations are joined at the hip and the politicians, I mean, it's the same guy that's giving them all their campaign money to run for office, whether it's the senator or governor or you name it. You start to see how things are done on a scale that's kind of scary.

Now, when I see an article like this right here, and I think this really kind of brings it here at home, "Professor Detects

Radiation in Sediment on Ashtabula River." The EPA claimed there wasn't any radiation there.

In fact, they had the plans about 90 percent complete on a dredging, and this professor on his own got out on his kayak and done his own testing and guess what he came up with? He found radiation.

Now, if you read this article, I mean, the one lady is pounding her head on the table and she's all shook up and of course they're all shook up, but this threw a big bone wrench in their plans. It's going to cost them, you know, between 35 and 40 million, they don't know how much more, to clean up this problem.

That's when I have problems because you have a toxic waste site like this and they're trying to tell everybody and me or whatever this thing is going to clean up by itself. You know, I find that just mind-boggling.

I mean, a lot of times you think we're stupid out here in public but we're not.

So I will just say that what I think needs to be done, I think there has to be a lot more in-depth investigation done probably headed by Bob Martin, no relation. And, you know, let's take some of that money that these corporations want to save, put that money in Bob Martin's hand, let him do a first-class investigation and maybe then we'll have some answers and get this problem cleared up. Thank you.

MR. DOZIER: Thank you. Our next speaker is Rebecca Adelman.

MS. ADELMAN: Hi, Rebecca Adelman, A-D-E-L-M-A-N. Do I sound all right on this? I'm nervous. I live at 12022 Lagoon, L-A-G-O-O-N-A, Circle.

I have a father who was a former CEO for Goodyear, a sister of the Department of Defense. I have a brother-in-law in military intelligence, a mother -- sorry. A mother who was working with NEOUCOM and facilitates students

with cancer.

I was 18 when I bought my house, I'm 23 now. In '90 I asked about the water, What is the water like in Uniontown? I was told by an EPA employee, actually Linda Kern specifically, said the water was okay. Residents in my area that worked for rubber companies then took a glass of water into the company lab and said behind closed doors, I personally need to know what is in my water. They told her, the company, the PRP lab told her specifically the water is dangerous. It is toxic. Move. This is what the company said to her.

They also said, which I'll never forget, is that no one will test for this stuff. I didn't believe -- I believe the water helps us, I truly honestly believe this water is a health risk to our community.

I put a petition together in the back, it's on the table, against the natural attenuation process. Those of you feel free to

sign it.

Also last but not least, correct me if I am wrong, I have the studies on the actual health effects that the landfill has been on the citizens. I'm sorry, but I have a one and a half year old son waking up looking like he's been burned. When I wake up looking like that -- it's not you guys going to the doctors, it's me, but do you know what's scary, it's not just us, it's a whole community. What you're doing is not working. I'm sorry.

I put a health data survey together to take up on my own. I will be walking around every night speaking with the citizens of Uniontown talking with them about the owners. I have a write-up sheet here that provides sufficient data that there are classical illness clusters within the community that require attention by all parties involved. If this is the case avenues will be explored on how to provide optimum health options meaning grants and

whatnot.

My mother, who worked at NEOUCOM, also worked for the health department, stated she would be more than happy to help us obtain grants. All information on this issue will be made public. I will personally see to it that everyone in Uniontown has a copy of this because it's, it's scary. It's scary. It's scaring me.

One morning my son woke up, his whole side was red. It looked like it had been burned, blisters, blisters, peeled. The next day I woke up the same way. We went to the doctor, this is a doctor who worked for Akron Community Health Resources who has gotten Akron grants in Kaiser Permanente, this doctor, Dr. Powell, who also signed the petition back there after, after just reading your letter, not the information I had, Dr. Powell willingly signed this petition from reading the EPA's letter that they sent out.

He willingly signed it. Do you know why? Because he said if this is happening, if it

is above federal water standards and you are --
here, do you want to look at it? Right here, see
the 1998 results, that will ruin our standards.

Dr. Powell, who works for the City of
Akron, stated if this is within a couple miles
vicinity of your house this is a great concern.
He wants me to bring my son in to do some blood
tests. He encouraged me to go to a toxicologist,
Dr. Drucker, up at University Hospital. This is
serious guys, and I'm not against you, but I
really hope you'll be seeing him.

When I have a sick baby and I can't
find a shirt to put on his one and a half year
old baby, and the doctors look at it and they
look my way and they said, Oh, my God, it looks
like you've been burned. I have never in my life
seen anything like this.

I mean, I'm an adult, I can handle it
but see, my baby doesn't. I can't do that to my
babies.

So I will provide the results of the

data report, our health data survey, to everyone including EPA, the attorney, including the companies and Bob's attorneys if they're interested in this case.

Thank you very much, and please, please, I can't see my family hurt. By the way, I drink the well water, I can't afford city water.

MR. DOZIER: Thank you. All right. Our next speaker is Kathy Magel, M-A-G-E-L. Did I pronounce that completely off base?

MS. MAGEL: It's pretty good, Magel.

MR. DOZIER: Magel.

MS. MAGEL: Yes. I am Kathy Magel, M-A-G-E-L. I'm from North Canton. I'm not a member of CCLT, I've never met anyone before.

I'd just like to provide some information. I contacted Miss Borello as a fellow band parent from North Canton, and I asked her if she could supply me with any specific information of which chemicals were suspect in

the dump that she was concerned about and at what levels. She provided me with an abundance of information.

My family drove this material to the very man who had a hand in the man-made plutonium isotopes that's in question, plutonium 239, and, yes, he was involved in the toxic nuclear test.

So after, he noted from this that plutonium 239 was somehow 92 feet deep in Uniontown, Ohio. He knew it was a nuclear waste dump, either that or Dr. Oppenheimer and Dr. Einstein should not have asked him to invent this plutonium 239, they should have said, Go up to Uniontown, they have it in their soil. If plutonium 239, which it appears is in Uniontown, it is a nuclear dump, it is. There's no other way it got in there.

So for proof I offer you this. This is a publication from Los Alamos concerning the plutonium -- the Manhattan Project, and you'll

see Dr. Magel's name all through this book, and it will attribute plutonium 239.

Okay. You're free to discuss this, how it was invented and how his name's all over it, you're free to copy that.

Dr. Magel upon his inspection of the CEP report was alarmed that this particular mix of chemicals lead to a nuclear waste, which, of course, he knew it was, and he demanded to know why EPA disavowed the CEP's results.

Independently of CCLT, which I am not a member of, I contacted CEP, got a hold of Mr. Mohler, M-O-H-L-E-R, and I asked him to contact Dr. Magel from scientist to scientist.

The two of them directly spoke via phone. The subject matter centered on the testing procedures that Mohler used that the EPA men said that they didn't -- they threw out his results. Mohler strenuously defined -- defending his representation and insisted that the nuclear material, which he had said nobody would ever

test for, it was in Uniontown, and Mohler said he was framed.

Dr. Magel asked not only for the results of the CEP but he wanted the workup, he wanted to know the test procedures used, and Dr. Magel wanted to have his own viewpoint of issues and results that had been thrown out.

It turned out Mohler indicated that all the workup material was inaccessible and it was in a judge's office. Dr. Magel was worried of a cover-up since logically wouldn't EPA flaunt any errors in the workup rather than allow them to be hidden?

Mohler admitted the error of one technician that did not subtract background on a few of the specific tests, but, then again, background should be minimal.

Knowing how serious disposing of all the chemicals at the Manhattan Project was the scientists provided proper methods of disposal prior to even inventing these materials.

My father-in-law will assure you that one of the methods from the Manhattan Project did not involve dumping in Uniontown, Ohio, which is five miles from where his granddaughters were brought up.

This scenario was very -- he was concerned and he drove to Uniontown and he met with Chris Borello personally for a personal tour of the dump. He saw the barrels, he saw where the gas was. I was not involved on it, the two of them went. And he knew that this was a dump site.

He went back and reviewed the material from the CEP report and now suspected a core uranium source found in Africa and is highly dangerous, which is not found in Ohio.

At his yearly medical physical Dr. Magel brought in copies of this material to the current nuclear scientists at Los Alamos laboratories, and they also agreed, concurred with Dr. Magel's recommendation that he wrote a

letter to Senator Glenn, number one, no cap; two, absolute removal of this, removal; three, at least have core samples so you know what you're dealing with.

So he also warned that the residents of Uniontown, if this happens we're in grave trouble, and I don't know who in the back said that they drink this water, but I will tell you I'm his daughter-in-law and along with his son and his two granddaughters absolutely told me never drink that water.

All right. You said something about -- I think you did, like I said, I don't know, that if you feel that in five years you saw something -- oh, okay. If you saw something in five years you might take a look at it. Okay. Well, he sees something now. He agrees with whatever his brother, whatever that man's brother saw, that's what my father-in-law, he says this needs to be -- no cap removed, it's dangerous right as it is right now.

Now, Dr. Magel is available to advise the EPA of the dangers of this chemical mix and can provide you names of an unbiased laboratory where you can get your water tested. Please contact CCLT or me or the -- what is it? This is Lake, Lake Trustees and they can get a hold of me, but we'll make sure you get this water test properly in unbiased true results. This is simple and not costly.

His work was so valuable it was not released to the public until the 50 year Freedom of Information Act was applied, and I swear to you his son wasn't even -- his son didn't even know of his contributions. And by the way, it's irony that all Dr. Magel's kids were born in Woburn, Massachusetts.

Okay. They both -- he and his partner, both Dr. Magel and his partner are still very active. They sign autographs, they still lecture, and if Dr. Oppenheimer and Einstein can reject them, I think you should.

I think that maybe -- he is available to speak to any and all of you, and he'll tell you about what chemicals are in there and what they're doing, he'll take the time, I don't think he would charge you. He'll let you know what you're dealing with, and I'm not drinking this water.

So, again, if they think it is good enough I think you should, and he does not have a political agenda but he does have a strong technical support you were talking about.

I was wondering, Mr. del Rosario, you were talking about the Technical Information Committee, I was wondering if Dr. Magel could be part of that and if he could monitor it so we would know what was going on?

MR. del ROSARIO: We'll definitely take that into consideration, ma'am.

MS. MAGEL: All right. Thank you very much. The only reason why I ask is this is

because Mr. Antonelli, which I agree with him, I know what he's saying, he said that the Ohio EPA represents the state's interests and I'm sure you do, but I think Dr. Magel would be representing his granddaughters' health issues and I would like you to honor it. Thank you very much.

MR. DOZIER: Let me just say in front of everybody so, EPA has asked me to ask Miss Magel if they could take the book and Xerox a copy and then return the original to you, is that all right?

MS. MAGEL: I'll discuss that with them.

MR. DOZIER: Okay. You can talk to them.

Okay. Our next speaker is Mark Nixon.

MR. NIXON: My name is Mark Nixon, N-I-X-O-N, I live at 10525 Newbury, Northwest in Uniontown.

I have a question for anyone in the

government representatives before I make my comment. Can, can anyone tell me the dates or approximate dates when the testing was done that showed that there was radial water flow from the landfill?

MR. DOZIER: Can anybody answer that or can anyone respond for the record?

MS. VANDERPOOL: My name is Luanne Vanderpool, I work for U.S. EPA in Chicago. I'm a geologist on this site.

I cannot give you a specific date off the top of my head. I can certainly look those up, however, every time a water sampling event has occurred, which has happened a number of times, water levels were measured and the radial flow was probably seen. Every time I've looked at the data that's what I seen. I know additional times water levels have been taken independent of the sampling events.

MS. FABINSKI: Luanne, there was also the --

MR. WITSAMAN: One second, can I answer your question specifically?

MR. DOZIER: From the back of the room there's an offer to answer your question specifically.

MR. WITSAMAN: I have the report from the United States Department of Interior, Water Resources Division, and this is from Barron Norris. Let's see, it's 1989.

MR. DOZIER: Okay. 1989 from the cite of U.S. Interior Department, USGS report. We have more information from Ross.

MR. del ROSARIO: My name is Ross del Rosario. There is an updated report from the U.S. EPA, I think it was dated 1994. I will be glad to give you copies if you need it.

MR. DOZIER: So in addition to the 1989 USGS report there's a 1994 one.

MR. NIXON: I believe this is worth it to me because in 1995 we were making plans to move, and we wrote to the EPA to see if we could

get a copy of the EPA report because we knew about the landfill. We were actually from Canton, we knew about the landfill, and we were concerned about possible contamination of well water.

So we got a report from the EPA which told us that the flow from the landfill was north and northwest. We bought a house two miles south of the landfill assuming that our water would be safe based on that report from the EPA.

Now we are aware that the flow is radial. If I lie to my government on my tax report I can go to jail, but my government can lie to me.

MR. DOZIER: The next person who is signed up is William Franks. William Franks. He has left. Is there a William Franks here?

Hearing no one, the person after that is either Marlen or Harlan, I can't tell if that's an M or an H, I think it's an M, Marlen Coleridge. Is it Marlen or --

MR. COLERIDGE: Harlan.

MR. DOZIER: Harlan, H. Will you state your name and spell it for the Court Reporter.

MR. COLERIDGE: Yeah, Harlen, H-A-R-L-A-N, Coleridge, C-O-L-E-R-I-D-G-E.

Well, folks, I don't have any prepared text, I'm just a common citizen. I live seven -- no, I'm sorry, 9.73 to 9.76 miles from the dump site. See, I measure every time I come through Uniontown.

I was looking at this chart over here and it was interesting, the gentleman over here from Chicago had mentioned about the cleanup site, and nobody addressed the thing about the barrels.

And another thing is I have well water. Now, I've lived where I live down behind the airport for 14 -- about 14 years, and I'm scared to death every time I drink water, because I have well water, not knowing for sure. And it

boggles the imagination that this has been addressed in the papers a couple times, it's been addressed here, why tests can't be taken, five or six different tests. I personally would pay money out of my own pocket to have a test taken anywhere in Uniontown, and I'm sure other people here would do the same thing. Five or six different tests at five or six different independent accredited testing labs and to see what they come up with.

Now, you won't find cadmium or radium and plutonium if you're not looking for it, but if you look for it, according to what the lady just said there, you'll find them, but you see, that's the worst thing the corporations want to happen because if they find that then they're liable, and we're talking about hundreds of millions of dollars in liability. And that's what it all comes down to, I don't care what anybody says, that's what it all comes down to.

So the point is, what do we do about it? Everybody's sick here and we talk about it, and everybody's going to go home, these people are going to get in their cars and planes and go back home, nothing's going to happen. Well, I'll tell you what I'm going to do about it. I'm in the process of writing a couple of letters, it might not do any good, I'm going to send one to 20/20, I'm going to send one to Dateline, I'm going to send one to 48 Hours.

Now, everybody else has done it, nothing will happen, but maybe if enough stink is put up maybe somebody will come out here and see what's going on and put some heat on where it belongs because just talking about it doesn't do any good.

If you look back in the history of the labor union, unfortunately when things are done it's unusual things, violent things like riots, I'm not condoning them, riots and things like this, but then people do something because

people don't want to sit on their rear end.

They're forced to make a decision.

Unless somebody's forced to make a decision
nothing's going to happen. I can almost
guarantee it, nothing's going to happen.

This thing about attenuation is a
colossal farce. You know, if there is plutonium
over there, plutonium only has a half-life of
240,000 years, that's all, just 240,000 years.
So if some of that is irradiating in the soil and
in the water we're all getting it. It won't kill
you now but 20 years down the road it will kill
you or your kids or somebody else.

So I don't know what the answer is,
but I feel like at least I can say something, do
something, make a little bit of difference.
Maybe it might make a difference, probably won't,
but you got to try somehow. That's all I got to
say.

MR. DOZIER: Thank you. Our next
person to sign up is John Ondick.

MR. ONDICK: Yes, my name is John Ondick, O-N-D-I-C-K. Do you need the address? 1144 Scenicrest Street in Uniontown.

I've lived in Uniontown since 1974. I've watched all this and haven't said much, but periodically for some reason I've just got to mouth off.

First I would ask the facilitator of the meeting a better way to select speakers would be to draw names from the hat and pull at random. I listened to all the long-term, long-winded people and they've left. I feel somewhat slighted that they didn't stay and listen to me.

I have a series of short questions. I don't want to spend much time, but I would sure like some answers. Did the so-called, quote, polluters, unquote, to anything illegal during the time they were dumping at the dump? Were they in compliance with the federal, the state, the county, the township laws and regulations?

MR. DOZIER: I think he wants to answer that.

MR. THURLOW: Let's just say I don't know that they did anything illegal. I mean --

MR. ONDICK: Were they dumping legally?

MR. THURLOW: I don't know everything that has been dumped however, but I'd say -- the point you're making is there weren't standards at that time that we have now and that's right, so maybe it may have been perfectly legal to do things then that it would not be legal to do now.

MR. ONDICK: I wish someone would put that in the newspaper. I worked for one of the companies at one time, I have no affiliation with them now. I object strongly to calling them polluters, they were doing it legally. The township, the county were probably dumping in there. I lived in Tallmadge, I know my trash was going in there from my hauler.

I think I read somewhere that there

were in excess of 3,000 people that can be proven or 3,000 companies that could be proven that dumped there.

For what it's worth, I drove here on tires tonight. Unless some of you people walked you all came on tires. They're made by these rubber companies, your neighbors.

You're buying a product and making a product, and they have to create this stuff. They had to do something with it. Unfortunately it was in our back yard, but it was going to go somewhere and today we're taking care of it in different ways, maybe, maybe not.

My next question would be based on the new recommendation with the new type cap, can anybody tell me the weight of the soil that's going to be used for this cap in probably tons I guess would be easier or give me a close estimate?

MR. DOZIER: How much does the -- do you have an estimate on weight or maybe yards of

soil for the new cap? If not, we can get some facts on it.

MR. del ROSARIO: I probably would like to defer that question to the contractor who is designing the cap, Bhupen Gandhi.

MR. GANDHI: My name is Bhupen Gandhi. We are talking about a device cap that is going to have a 12-inch base that will have a flexible member lining and 8 inches of soil cover and six inches of topsoil. All together we are looking at about 450 to 500 pounds per cubic foot.

MR. DOZIER: And how many cubic feet?

MR. GANDHI: Pardon me?

MR. DOZIER: And how many cubic feet?

MR. GANDHI: One cubic foot -- at least one cubic foot total weight we're looking at in one square feet area, one square feet area

with the height we'll get about 500 pounds of weight.

MR. ONDICK: Like maybe a quarter million tons or --

MR. GANDHI: Well, we don't have the exact volume we're looking at. There is a substantial amount of volume so all the landfill will have substantial weight, but what you have to look for is, like I said, 500 pounds in one square foot area.

MR. ONDICK: Okay. If everybody can hear me, I think I have another question that he'll want to answer. It's what I call, because I'm not technically versed, what's the squeeze factor? If we put these hundreds of thousands of tons on top of this and weight it down, what happens to this so-called plume that shrunk? Is this thing going to mushroom out?

MR. GANDHI: There has been some allegations by some of the publications that we have read that it is going to be squeezed out.

We are looking at 500 pounds of weight additional over the -- anywhere from 30 feet to 60 to 80 feet depth of soil monitors, which is not as heavy as the regular soil, but there is already that much weight and on top of it we are putting 400 to 500 pounds. That's not a lot of weight over the entire landfill that we consider per square foot.

MR. ONDICK: Well, I probably occupy maybe six square feet, so if you're going to put 3,000 pounds on me I'm going to squish. Enough with that.

When we do all this, if you believe in natural attenuation you believe in microbes, will this block the water and the oxygen that what I'll call the caps plugs need to live and keep gobbling this stuff up?

MS. VANDERPOOL: Luanne Vanderpool again. The simple answer is, no, it will not. There is groundwater flowing into the landfill from the north which will bring water and bring

oxygen, and the truth of the matter is many of the processes in the natural attenuation, in fact, do not need oxygen, do not want oxygen.

MR. ONDICK: Okay. Can any one of you tell me how much methane currently is being vented? If you could give it to me and like how many houses could I heat tonight with it.

MR. ANTONELLI: Larry Antonelli of the Ohio EPA. We currently operate the active methane venting system out at the site, it kicks on about every two hours for about 15 minutes.

And the parameter wells are monitored, I can't give you an estimate on the generation, however, the concentrations that are detected are in the range from one to four to we have seen as high as nine percent of methane by volume.

MR. ONDICK: Is there enough coming out that you can heat a house with it?

MR. ANTONELLI: I can't answer that question, I don't know.

MR. ONDICK: So we don't know whether it's giving off as much as a herd of cows up on Route 43?

MR. ANTONELLI: Correct.

MR. ONDICK: Okay. Well, I guess I won't worry about the methane.

Okay. I would also just like to point out a few facts, and I'll get out of everybody's hair. The Exxon Valdez, that poor company spent billions of dollars on a cleanup that was basically worthless, nature is taking care of it now. Somebody mentioned the Love Canal, they're building houses on top of the Love Canal now.

I personally if I was a PRP I'd refuse to pay for anything else. I don't know what or how involved the four companies are supposed to be stuck with this whole thing. As a taxpayer I take offense at having to have our local companies that have a lot of employees here on the payroll bear the burden of this, whereas a

taxpayer contributing to the federal blue dial
that pays for removing and cleanup and everything
else in the United States, let's let the people
in the rest of the country help pay for this.

And my last point, and I guess I feel
pretty strong about this because I've wrestled
with this, people in this room, I'm sure there
are some that smoke, I'm sure that there are some
that drink, there's some that ride motorcycles, a
lot of people probably drink bottled water.
Puree was trying to kill half the world a couple
years ago.

Bottled water would be worse than
whatever this other jug was up here. I know that
for a fact, I've had rangers out west tell me
don't drink the river water. There's no such
thing as pristine river water. It may not have
heavy metals but it's loaded with bacteria
because bears piss upstream, those were his exact
words, and there is no pure water.

If you ever went to Lake Rockwell,

I've heard the Akron water facilities, if you saw what came through that lake before it went in to be purified as drinking water you'd probably stop drinking city water, too.

But take a good look at yourself in the mirror in the morning when you get up and ask yourself if I really believe half of what I've heard tonight and it really bothers me and I'm committed to doing something about it and look in that mirror and ask yourself, Why the hell am I living here?

MR. DOZIER: Okay. Our next speaker is Jeff and I can't read it, maybe Prichard, P -- yeah, Prichard, I believe. You coming, Jeff?

Okay. Then the last speaker is Darleen Lansing.

AUDIENCE: Can we add a speaker?

MR. DOZIER: Yes.

MS. LANSING: Can you hear me?

Okay. My name is Darleen Lansing,

L-A-N-S-I-N-G.

I first moved to Uniontown in the '70s, and I lived in Hidden Knolls at that time, which was a mile and a half southwest of the landfill.

After living there five or six years I heard reports, like Ms. Adelman did, of a baby up on the corner of that allotment whose skin was burned, of a baby who was a few months old that got melanoma, of people that had lived there about ten years started developing cancer.

I moved away, sir, but I developed cancer after I moved after living there 10 or 15 years. I've come back and now the same thing has happened again. Mrs. Adelman lives up the street from where I live, and she has the same problems in her house as we had in our house. My children were at the doctors every six months, and that's documentable.

Getting back to the water standards. Drinking water standards that have been released

in the newsletter that I reviewed the other day,
they're talking about drinking water, one
chemical, they're talking about adults, they're
not talking about children, they're not talking
about babies, they're not talking about chemicals
mixing together and being drunk or they're not
talking about bathing, they're not talking about
chemicals aerating and getting into the body
other than through drinking.

They're not talking about radiation,
making chemicals worse by synergy or making the
health problems worse when we've had a chemical
radiation mix.

I don't understand, if I went to a
doctor and he told me I had a disease and he ran
a test and said I had X, Y, Z, I went to another
doctor to get a second opinion and he ran a test
but he didn't test the same organ, he tested
something else and said, You don't have X, Y, Z,
are we going to leave it alone? No, I'd get a
third opinion.

I'm very unhappy with how they've handled the radiation specifically. I don't understand why it takes 15 years of testing and we're still back where we were when I started looking into this in 1970 -- or 1980.

The other thing is, if there's really 780,000 tons in that thing, that thing's a chemical plant. It's not a landfill, it's a chemical plant. By law we would test a chemical plant, its gases, its influence every so many months. This thing has been tested, I don't know, not for two years now?

There's a flare there that bleeds gases off the top of that landfill, not just methane, other gases. Has there ever been any ambient air test done? When was the last one done? Once a year?

MS. BORELLO: One time in 15 years.

MS. LANSING: One time in 15 years.

That garbage burner down in Akron which was burning and also had precipitators, this thing

doesn't have precipitators, it's just burning,
nothing to keep the chemicals down. That thing
got shut down because it was re-forming chemicals
and dioxin was going toward the Akron Beacon
Journal so they got upset and they got it shut
down. So we got to live out here where this
stuff keeps coming and coming. I don't
understand.

15 years we're back where we started
from and nothing's been done. Natural
attenuation doesn't work, we just proved it.

MR. DOZIER: Okay. This ended our
formal request, but I want to make sure that we
have every person who wants to speak have an
opportunity to do that.

I also don't want to beat up our
Court Reporter too much, so could you give her
five minutes. I think it would only be fair to
give her five minutes, and then we'll come back
and continue taking comments until everybody here
has had a chance to speak if they wish.

Okay. So we're going to take a five minute break.

(Short recess was taken.)

MR. DOZIER: All right. Thank you very much. We're going to go back on the record now. We have three more people who have signed up and requested to speak tonight. As soon as the noise dies down a bit we're going to have the first person come up.

Could I ask the people in the back of the room -- thank you. Okay. Joe, come on up. We have Joe Mosyjowski. Did I get it right?

MR. MOSYJOWSKI: It's close enough.

MR. DOZIER: And, Joe, if you could spell your name and your address for the record.

MR. MOSYJOWSKI: Yeah, my name is Joe Mosyjowski, M-O-S-Y-J-O-W-S-K-I, something like that. My address, 2615 Swartz Road, Hartville.

I think, you know, we've sat through this whole thing this evening, and I don't think anybody in this room would want to be in the seat

of the EPA here representing from Chicago and Twinsburg. They certainly are in the hot seat, it's just the way it is, I guess it's their job, but this is addressed to them.

They still have a chance to go back to Chicago and Twinsburg, pretty impressive lawsuit, they've done a nice job and they should get their, you know, pat on the back. They can do this by, number one, raising them to the same accessibility to your technical staff or that the polluters have had. You can let them sit at a table when the cleanup plan is worked out. You can bring them the same accessibilities of the site as the polluters have had. You can bring them the blind core samples that they have been requesting for years.

You can represent the citizens of Uniontown first and foremost to your boss. You can work to identify what pollutes IEL. You can quantify them, especially the dangerous ones, and

you can order them removed. If you do this you will really impress your boss and you will also be true American heroes. Thank you.

MR. DOZIER: Thank you. Thank you.

Okay. Our next speaker is Lee Yoder. Thank you.

MR. YODER: My name is Lee Yoder at 9388 Market Avenue, Hartville.

My -- we've heard a lot of things said this evening, a lot of facts and figures, but my comments are more directed to the staff over here. And this is not personal, but I think it's become very -- one has become very angry and outraged at what is taking place here over the last number of years.

You people represent a system that we're paying for. Our money is going to Columbus and to Washington, and we expect a little more than this. We don't want to be insulted with these foolish solutions to deep problems.

Anybody with any intelligence can

tell that these chemicals aren't going to leave with these poplar trees. That's an insult, and I think they should realize that the only solution is to get this out of here. Somehow we have got to -- you have got to convey this to your organizations that we want something done here.

There's people living here, there's properties that have been devalued through this, and we're not, we're not stupid enough to believe that this foolish solution is going to work. It will only get much worse when this gets into the soil, into the water and spreads far beyond here.

MR. DOZIER: Thank you, sir. Okay.

The last person that I have on the list who has requested to speak is Tom Shalala. Tom, do you want to come up here.

MR. SHALALA: My name is Tom Shalala, S-H-A-L-A-L-A. I have lived in Uniontown here on Shawnee Street and I --

MR. DOZIER: Keep it close to your

mouth.

MR. SHALALA: Okay. I practice environmental as my -- that's what I do for a living, and I've been in the field for about 15 years. I'm a certified professional with the Ohio Environmental Protection Agency and a certified professional geologist, and I'm involved with groundwater remediation projects as well as landfills -- landfill investigations here currently.

I don't come to you with an emotional speech. Most people do because they've lived here. I haven't lived here long. I am appealing to the EPA to evaluate the investigation before they put a final remedy to it, and once you cap the site you can say that you can revisit it but once a cap is on it's going to be hard to revisit the actual site.

If you want to put in monitoring wells, how are you going to put in monitoring wells on a site that's capped? Or if you want to

put in recovery wells if that is a solution down the line, how are you going to do that when there's a cap in place? You'll destroy the integrity of the cap.

All I'm saying and all I'm appealing to you to do is complete the investigation. There's questions on the lateral extent of the contamination. There hasn't been any pump tests performed, and that is a critical way of determining the hydraulic and transmissivities of the aquifer. You can do slug tests all day, but professionals, professionals in this room on both sides know that slug tests are debateable on the basis of history. Pump tests give you much more viable alternative, and that has not been done for whatever reason.

And if I went to my client and I told them, Look, I'm ready to clean up a site and they said, Great, great. It's going to cost you 13 million dollars but we're going to investigate it a little bit further. I think my client would

throw me out of the room. They would say, Before you're going to spend my money you need to make sure that the selection that you choose better work.

And the PRPs, if they're going to foot this bill I would go to the EPA if I was them and say, If you're going -- if we're going to foot this bill you better make sure this thing is going to work.

And so I am asking that you all revisit the assessment to make sure that the site is adequately -- the extent of the problem is adequately defined.

As for monitoring, there's been a question by some of the folks, there's a question on very little monitoring that's done to determine the fate of the transport of the volatile on-site and the metals, and that is also something that should be done.

And then as for the cap, as I had mentioned, that will prevent water from

infiltrating from the top but you already have contaminated groundwater that is going to flow through the site downgradient, and I'm wondering if any monitoring was done to determine what the new groundwater flow direction is once that cap is in place and there's no longer infiltration on-site itself, where is the groundwater going to flow after the cap has been placed?

So -- and then lastly, the issue of natural attenuation being the selective remedial method when very little studies have been done to show whether the bac -- number one, if there's any bacterial microbes present, whether those microbes have been affected by any kind of heavy metal contamination, which in high concentrations could be toxic to the microbes, and whether those microbes are effective in dealing with the certain type of contamination that's there.

So I guess my appeal to you is to fill in the data gaps in completing the

assessment, then if that's what you come up with and you can present that without any doubt that is the best solution to protect the health and human environment, the environment, then great, but there's so many data gaps right now. That's all I have.

MR. DOZIER: Okay. Unless we have anybody of whom I am not aware who wants to speak, I'm going to turn this over to Denise Gawlinski for one last thing, and then we're going to close the record for tonight. Denise.

MS. GAWLINSKI: Thanks, Dan.

Actually this was a question or maybe not a question but a request of Tom. When you were up here describing your background, it sounded like you were -- you worked for Ohio EPA, and I just wanted to clarify that --

MR. SHALALA: No, that's not --

MS. GAWLINSKI: -- you are not an Ohio EPA employee.

MR. SHALALA: That's correct, I work

for a private company.

MS. GAWLINSKI: Okay. You work for a private company. I just -- maybe I just misunderstood you, but I just wanted to make that clear to everyone. Thanks.

MR. DOZIER: Okay. Thank you very much for coming. We're off the record. The record is closed. Thank you for everything everybody, you were very helpful.

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(Hearing concluded at 10:25 o'clock p.m.)

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C E R T I F I C A T E

STATE OF OHIO,)

) SS:

SUMMIT COUNTY,)

I, Cynthia Holderbaum, and RPR and

Notary Public within and for the State of Ohio,

duly commissioned and qualified, do hereby

certify that the proceedings were by me reduced

to Stenotypy, afterwards transcribed upon a

computer; and that the foregoing is a true and

correct transcription of the proceedings so given

as aforesaid.

I do further certify that these

proceedings were taken at the time and place in

the foregoing caption specified, and were

completed without adjournment.

I do further certify that I am not a

relative, counsel or attorney of any party, or

otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto

set my hand and affixed my seal of office at

Akron, Ohio, on this 10th day of March, 1995.

Cynthia Holderbaum, RPR and Notary
Public in and for the State of Ohio.

My Commission expires December 17, 2002.